

New Caledonia and Papua are not reviewed in this issue.

FIJI

The first nine months of 2014 in Fiji were dominated by preparations for the long-awaited 17 September election. In accordance with the “Strategic Framework for Change” set out in July 2009, a new constitution had been put in place in 2013 (see Fraenkel 2014), but the associated electoral arrangements were finalized only in March 2014. In the same month, Prime Minister Voreqe Bainimarama stepped down as military commander and announced the formation of his new political party, FijiFirst. Also in March, Rewa high chief Ro Teimumu Kepa became leader of the main Opposition party, the Social Democratic and Liberal Party (SODELPA, formerly the Soqosoqo Duavata ni Lewenivanua [SDL]). Initial polls released by the *Fiji Sun*’s Razor Research gave Bainimarama a commanding 79 percent lead and suggested negligible support for SODELPA (*Fiji Sun*, 2 March 2014), but these were widely considered untrustworthy. As the polling day drew closer, a Times-Tebbutt poll found 21 percent support for SODELPA and 45 percent for FijiFirst, implying that the gap was narrowing and encouraging expectations of a preelection surge in support for the Opposition (*Fiji Times*, 6 Sept 2014).

In the heated atmosphere of early September, Bainimarama expressed

reservations about holding an election at all, accused SODELPA of exacerbating ethnic divisions and of planning to release 2000 coup leader George Speight, and said that Suva would not be allowed to “burn” again (RNZI, 4 Sept 2014; *Fiji Sun*, 4 Sept 2014; FBC, 11 Sept 2014). Heroic interpretations of the military’s response to the Speight coup of May 2000 had long been used to consolidate rank-and-file control in the army (see Bainimarama 2014a). Now, in the context of the election campaign, these were used to remind the minority communities about the risk of instability in the event of a poor showing for FijiFirst.

If the early September poll was correct, voter loyalties polarized in the weeks before the polls, with the smaller parties losing support. The final outcome gave FijiFirst 59.2 percent of the national vote and 32 of the 50 parliamentary seats, a landslide victory. SODELPA had 15 seats and 28.2 percent of the national vote. The only other party to cross the 5 percent threshold was the National Federation Party (NFP), which obtained the remaining 3 seats. The Fiji Labour Party (FLP), which had obtained 39.2 percent of the national vote in 2006, slumped to 2.4 percent. The People’s Democratic Party (PDP)—a breakaway from the FLP—fared only slightly better, with 3.2 percent. Predictably, given the high threshold, the two independents obtained few votes.

Owing to Fiji’s history of election-triggered coups, fears of military inter-

vention inevitably lurked in the background during the 2014 campaign, or at least they did so as long as the result was uncertain. Bainimarama's replacement as military commander, former Land Force Commander Brigadier Mosese Tikoitoga, said in April that the role of the Republic of Fiji Military Forces (RFMF) was to defend the new constitution and that "whatever government the people choose, we will support it." However, he also warned that "if people throw out the current constitution as current political parties are talking about—then they have thrown out the chance of avoiding coups" (*Islands Business*, April 2014; RNZI, 24 June 2014; FijiLive, 21 June 2014). The desire to keep the military out of politics may have been genuine, but that commitment proved difficult to sustain, particularly for an institution as intertwined with the fabric of Fijian life as the RFMF. In July, the RFMF announced it was severing all ties with former military officer and SODELPA candidate Ratu Suliano Matanitobua after he appealed to the people of Namosi to put obligations to the vanua (indigenous system) over loyalties to the RFMF (FijiLive, 31 July 2014). Immunities for actions taken during the 2006 coup and thereafter were entrenched in the 2013 Constitution and these were as vital to the RFMF senior command as they were to the government leadership. Hence, the military top brass carefully guarded its rehabilitated constitutional responsibility "to ensure at all times, the security, defence and well-being of Fiji and all Fijians" (Fiji Government 2013, section 131 (2) [section 5 (1) provides that "all citizens of Fiji shall be known as Fijians"]]). Shortly before

the election, it was announced that the new commander was relocating to an office in Berkley Crescent, close to the nerve centers of government (*Fiji Sun*, 12 June 2014).

The 2014 election was fought using a new uniquely candidate-centered, open-list, proportional representation (PR) system. Open-list systems by definition center on choices of political party as well as candidate, but Fiji's ballot paper offered no obvious party choice whatsoever. Only the candidates' allotted numbers were visible on the ballot papers, not their party affiliations. Nevertheless, as in Finland and Brazil, it was the party tallies that were indirectly critical for determining how many seats each party won. Individual candidate tallies were summed at the counting center to reach party tallies, thus determining how many seats each party obtained. Only after this calculation of party seat entitlements did the highest intra-party personal votes determine which of each party's candidates were elected (for further detail on the difference between open- and closed-list PR systems, see ACE 2015). Also unusually for open-list PR systems, the 2014 election was fought using a single national constituency (see the discussion by electoral commissioner Father David Arms of a model using three, four, or five multimember constituencies [Arms 2012]). The voting age was reduced from 21 to 18, and Fiji citizens residing in other countries were for the first time entitled to vote.

Most importantly, this was Fiji's first general election without communal rolls. Ever since 1929, Fiji's general elections had separated "Fijians," "Indians," and "Others" by race, and

required each ethnic group to cast ballots entailing choices of leaders within their communities (though often with supplementary votes cast in “cross-voting” [1966], “national” [1972–1987], or “open” [1999–2006] constituencies on a common roll). Within Fiji, this major 2014 change was often misleadingly described as serving to “eliminate racial voting,” largely because the latter had been one of Bainimarama’s 2012 “non-negotiable” provisions expected of the new constitution (for a discussion of these deliberations, see Fraenkel 2013). What the new electoral framework did do was remove the institutional endorsement of race-based voting and end the long-standing gerrymander in favor of rural parts of the country.

Voter registration in 2014 was up 23 percent over 2006 levels, partly reflecting the new enfranchisement of those aged 18 to 21. Turnout was also high, averaging 84 percent, despite the abandonment of compulsory voting. The 5 percent threshold discouraged independents, who would have needed 24,819 votes to gain a single seat. If they failed to reach that threshold, votes for the smaller parties also entailed wasted votes. The Electoral Decree forbade candidates who had “been convicted of any offence under any law for which the maximum penalty is a term of imprisonment of 12 months or more” (Fiji Government 2014, section 23, paragraph 4). That ruled out deposed Prime Minister Laisenia Qarase, who had served a one-year prison sentence in 2012–2013, and also disqualified FLP leader and former Prime Minister Mahendra Chaudhry. Mr Chaudhry

was convicted of exchange control fraud in early 2014, but eventually—after the election—he avoided a fifteen-month prison term by paying a fine of F\$2 million (approximately US\$1,080,000 in mid-2014). Without its longtime leader, the FLP polled poorly. Its former strongholds in the sugarcane belts of Ba (western Viti Levu) and Macuata (northern Vanua Levu) instead gave majority support to FijiFirst.

Other would-be candidates were also prohibited from contesting. SODELPA’s preferred representative for the Lau Islands, sacked civil servant Anare Jale, had his nomination rejected on the grounds that (due to his termination) he had been working as a consultant in Solomon Islands and thus was claimed not to be, as required under a belated July amendment to the Electoral Decree, “ordinarily resident in Fiji for at least 2 years immediately before being nominated” (Fiji Government 2014, section 23, paragraph 4[c]; PINA, 4 Aug 2014).

Disagreement flared between the Electoral Commission and Supervisor of Elections Mohammed Saneem after the latter decided to allow FijiFirst’s Praveen Bala Kumar to contest, despite his being a public officer at the time of nomination, and to incorrectly disqualify one of the FLP candidates (RNZI, 23 Aug 2014; FijiLive, 23 Aug 2014). The commission tried to reverse both decisions, but the supervisor said that their advice had come too late (RNZI, 26 Aug 2014; *Islands Business*, Aug 2014). The commissioners boycotted the announcement of the National Candidate List on 23 August and took the matter to court,

though the case was dismissed on the grounds that the three-day time limit for objections was valid in law (High Court of Fiji 2014). The dispute briefly threatened to ruin the credibility of the election administration, but resignations were avoided. Allegations of bias were inevitable: the supervisor had close links to the attorney-general, Aiyaz Sayed-Khaiyum, who had retained his position as minister of elections throughout the campaign despite simultaneously assuming the role of general-secretary of FijiFirst.

Media censorship was gradually relaxed over 2012–2014 but remained an important constraint for the Opposition parties. The C J Patel-owned *Fiji Sun* and the state-owned Fiji Broadcasting Corporation—run by the attorney-general’s brother, Riaz Sayed-Khaiyum—were strongly pro-government. Other media outlets, particularly the *Fiji Times* and Fiji Television, were kept in line by regular harassment through the courts or by controls over licensing arrangements (FijiVillage, 27 Nov 2012; RNZI, 6 June 2012). Self-censorship had become endemic, as journalists adjusted to controls under the 2010 Media Industry Development Decree.

Early in the campaign, Media Industry Development Authority Chairman Ashwin Raj threatened to take action against “hate speech” after Verata chief Ratu Timoci Vesikula publicly appealed to Bainimarama not to trust his newfound Fiji-Indian allies on the grounds that the two communities were as dissimilar as “kerosene and water” (*Republika* 2014). Instead of taking the opportunity to emphasize FijiFirst’s multiethnic agenda, Bainimarama had reportedly sat unmoved

through Vesikula’s speech in Verata. The hornet’s nest had been stirred only on the prime minister’s return to Suva, where the favored reaction was punitive rather than political. On election night, Raj had no qualms about appearing on Fiji TV as an overt supporter of FijiFirst.

FijiFirst’s strategy was to seek to maximize the personal vote for Bainimarama, who was able to obtain 202,459 votes (40.8% of the national vote, or 68.9% of the FijiFirst vote). The party’s campaign propaganda focused on the politics of modernization, and described opponents as “dirty,” “old,” and “corrupt” politicians who were together forming a “coalition of the hypocrites” (Bainimarama 2014b; FBC, 21 Jan 2014). FijiFirst was registered in May with 40,083 signatures, well in excess of the 5,000 required under the Political Parties Decree (Fiji TV News, 5 May 2014; FijiLive, 19 May 2014).

On the campaign trail, Bainimarama contested claims that his government would undermine security of native land tenure or dismantle indigenous traditional institutions. The prime minister’s fund-raising meetings in Auckland and Sydney in August were well attended, as were rallies held in the towns of western Viti Levu. In a departure from his usual critical stance toward the government, Professor Wadan Narsey—an economist terminated from the University of the South Pacific in obedience to political pressures—described Bainimarama on the campaign trail as “like a man possessed, travelling the length and breadth of Fiji as no previous elected leader has done, addressing local community needs in education, health, roads,

water etc. some of it quite positive for Fiji's development," and speculating "who knows, he may be a changed man in parliament, like Rabuka" (Narsey 2014b). (Sitiveni Rabuka was the 1987 coup leader who later embraced the 1997 Constitution and formed an alliance with the main Fiji-Indian Opposition leader, Jai Ram Reddy.) During the early years of its tenure, the Bainimarama administration had been deeply unpopular within the ethnic Fijian community. Acutely aware of this and the fact that ethnic Fijians now formed around 60 percent of the population, the government had become adept at micromanaging loyalties, through both intimidation and enticements and by making great play of public acquiescence by former adversaries (including videos of such events posted on YouTube by the Ministry of Information).

Economic recovery after 2010 greatly assisted the government's efforts to cultivate support among former opponents. Gross domestic product was estimated to have grown by 4.6 percent in 2013 and by 3.8 percent in 2014 (IMF 2014, 4). Tax revenue was up 17.3 percent for the year ending September 2014. Government debt levels had declined since 2013 but, if the liabilities of state-owned corporations are included, were still close to 80 percent of gross domestic product (ADB 2014). The budget deficit stood at 7.8 percent for 2014, according to International Monetary Fund (IMF) estimates, but this rested on uncertain expectations of state asset sales that were to be delayed until after the election (IMF 2014, 5). That budget had given substantial pay raises to civil servants.

In the run-up to the election, the government distributed large numbers of sewing machines, brush cutters, and chainsaws mostly to indigenous villagers. New roads around eastern Viti Levu and northern Vanua Levu cultivated support among those long accustomed to official neglect. Subsidized primary education and free bus fares for school children encouraged the depiction of the incumbents as a development-oriented administration intent on lifting living standards.

The SODELPA campaign emphasized threats to Fijian landownership and the negative experience of many in the indigenous community during the eight years since the December 2006 coup. Alongside party leader Ro Teimumu Kepa (Roko Tui Dreketi), other prominent candidates were also from the traditional chiefly hierarchy, including the Tui Cakau, Ratu Naiqama Lalabalavu, from Cakaudrove. SODELPA was deeply hostile to the 2013 Constitution and its declaration of Fiji as a "secular state." The party wanted to reinstate the disbanded Great Council of Chiefs and revive the Qoliqoli Bill, a controversial piece of legislation drafted under the Qarase government and aimed at increasing indigenous incomes accruing from coastal and reef areas (SODELPA 2014; RNZI, 22 July 2014). These policy stances appealed largely to older Fijians, but less so to younger and newly enfranchised Fijians.

Bainimarama succeeded in putting SODELPA on the defensive on key issues, such as the party's proposals to turn Fiji into a "Christian state." Claims that FijiFirst would privatize communally held land were countered

by highlighting land sales under previous ethno-nationalist governments, including the Momi Bay and Denarau tourism developments in western Viti Levu. A letter circulated to all fifty-six divisions of the Methodist Church warning voters not to be “swayed” by “the developments carried out” generated a furious reaction by the prime minister (*Fiji Sun*, 25 Sept 2014; FBC, 25 Sept 2014).

On key issues where the government was potentially vulnerable, such as government corruption and the declaration of personal assets required under the Political Parties Decree, SODELPA failed to put strong pressure on Bainimarama and cabinet ministers contesting under the FijiFirst banner. Critically, this was the first Fiji general election fought by a mainstream indigenous party from a position in Opposition. In all previous elections, the largest ethnic Fijian-backed party had always campaigned as the incumbent, increasing the likelihood that potentially dissident areas would render grudging support. Whenever out of government, the mainstream indigenous party had been returned by way of a constitutional crisis (1977) or a coup (in 1987 and 2000). Contesting from a position in Opposition required a set of political skills quite different from those employed at previous elections, and these were not easily learned in the run up to the September 2014 polls.

Polling took place on a single day, 17 September, in contrast to the previous practice of allowing a week for the casting of ballots. The task was eased by “pre-polling” of fifty thousand voters, mostly those on outer islands and in isolated parts of the interior. A

two-day preelection media blackout was rigorously enforced. On the main Election Day itself, polling was conducted reasonably smoothly, but the announcement of provisional tallies phoned in from the polling stations was poorly handled. Counting was abruptly halted early on 18 September and recommenced from scratch, based instead on the more reliable official paperwork sent in from the polling venues. Many citizens were left bewildered, and they were encouraged in this sentiment by defeated politicians’ allegations of malpractice (see the report in *The Australian*, 18 Sept 2014).

The multinational observer group (MOG), led by Australia, Indonesia, and India—eager to offer an early initial verdict and in some cases to quickly depart the country—called a press conference at 4 pm on 18 September before the full results had officially been announced. The observers declared the election “credible,” said that “the conditions were in place for Fijians to exercise their right to vote freely,” and concluded that the result was on track to “broadly represent the will of the people” (FijiLive, 18 Sept 2014). Aware of the impending MOG event, the Opposition parties called a rival press conference outside the counting center at the FMF Dome, also at 4 pm on 18 September, and claimed evidence of ballot rigging and electoral fraud. One Fiji leader, Filimoni Voso-rogo, whose party had secured only 1.2 percent of the national vote, failed to turn up at the Opposition press conference. In the days that followed, the initial shock felt at FijiFirst’s landslide victory faded, and the PDP withdrew from the joint press state-

ment (FijiVillage, 22 Sept 2014). The final Opposition statement contained claims of election irregularities (FLP-NFP-SODELPA 2014), but the supervisor and the chair of the Electoral Commission competently accounted for most of these (Fijian Electoral Commission 2014; *Fiji Times*, 21 Sept 2014). No evidence was presented by the Opposition showing how alleged misdemeanors had influenced the overall result. Ultimately, no disputed returns were lodged with the courts.

Geographically, support for FijiFirst was reasonably evenly spread across the country, in both urban and rural areas, and in both the poorer settlements and richer suburbs (for more detail, see Fraenkel 2015). Of the four divisions, SODELPA had majority backing (63.2%) only in the Eastern Division (covering the Lau and Lomaiviti island groups), despite a FijiFirst majority on tiny Rotuma (administratively counted as part of the Eastern Division despite being in the country's extreme northwest). SODELPA also had a sizable share of support in the Northern Division (36.2%), particularly in the rural areas of Vanua Levu. These are parts of the country with relatively small populations, where indigenous villagers are mostly engaged in subsistence cultivation and fishing, and from which there exist high rates of outmigration to the Suva-Nausori corridor. By contrast, FijiFirst had 68.8 percent of the vote in the Western Division and 55.9 percent of the vote in the Central Division. These are the most densely populated areas, with the lion's share of the country's formal sector jobs. Taken together, the Eastern and Northern accounted for 18.8 percent

of the vote, while the Western and Central divisions accounted for 79.7 percent. The residual, 1.4 percent, was made up of postal ballots, of which 55 percent were cast for FijiFirst.

Parliament was no longer to sit at the magnificent purpose-built complex out at Veiuto, the epicenter of George Speight's failed May 2000 coup. Instead, the assembly was to be relocated to its pre-1987 home in Government Buildings in central Suva, a shift symbolic of efforts to end the twenty-seven-year-old so-called coup culture by returning to the venue where soldiers had first wielded guns to depose an elected government. Bainimarama's government would no longer be conducted by decree but would be constrained to operate through parliamentary procedure. It was to prove a difficult transition. After the election, Bainimarama spoke—without magnanimity—about meeting again in Parliament with the “losers” and “liars I met on the campaign trail” (*Fiji Sun*, 19 Sept 2014; *FijiLive*, 24 Sept 2014). No olive branch would be extended to the Opposition parties.

The new Speaker was Jiko Luveni, who stood down as a FijiFirst member of Parliament to take up the post. Ro Teimumu Kepa became leader of the Opposition. The NFP's Dr Biman Prasad was made shadow finance minister and chair of the Public Accounts Committee, tasked with reviewing the thirty-two auditor-general reports covering 2007–2013 that were published soon after the election (OAG 2014). Among those reports was evidence of major expenditures over budget by the RFMF and confirmation that ministerial salaries had for years been paid

outside normal channels through Aliz Pacific, an accounting firm owned by Nur Bano Ali, the aunt of the attorney-general (Auditor-General's Report 2010, volume 2, section 4, page 11; Narsey 2014a; Fraenkel 2012). In the new parliament, Aiyaz Sayed-Khaiyum would play a prime ministerial-style role, as well as serving as attorney-general (a post he only briefly relinquished to Faiyaz Koya but then reassumed within a few days) and holding the portfolios for finance, public enterprises, public service, and communications. Bainimarama would continue to play a more presidential role, traveling regularly overseas and touring Fiji on official visits.

Parliamentary proceedings were to be live-streamed on the Internet. November 2014 was the budget sitting, with the 2015 spending plans pushed through by way of the solid FijiFirst majority and in the face of a SODELPA walkout (*Fiji Times*, 9 Dec 2014). Disagreement flared over a law to restrict urban land sales to foreigners and—above all—when contractual disputes meant that the Fijian Sevens rugby team's performance in Dubai could not be screened live on national TV. Potential lines of cross-party linkage existed, but the constitutional provision regarding forfeit of seats in the event of expulsion could be expected to stiffen party loyalties into the distant future. Much bad blood remained. In his maiden speech, SODELPA's Niko Nawaikula said he "despised" the FijiFirst members of Parliament, called for another constitutional review, and said that failure to do so would constitute "an invitation for another coup" (Hansard, 15 Oct 2014). Bainimarama responded that

the government would be "keeping an eye" on Nawaikula and threatened to bring him in "for questioning" (FBC, 16 Oct 2014; FijiLive, 17 Oct 2014).

Use of surveillance technologies was well known: Vodafone admitted to having allowed 760 Fiji phone taps in 2013 (*The Guardian*, 6 June 2014). Public justification of stiffer forms of repression had also become a familiar part of the political landscape, and this did not abate after the election. In 2013, the gruesome torture of two escaped prisoners by the security forces was shown in a widely circulated video, but—to the horror of Amnesty International—the officers' actions were publicly defended by Bainimarama (Amnesty International 2014). In June 2014, military commander Brigadier Tikoitoga justified beatings of opponents to "stave off civil disorder" (Tikoitoga, quoted in *The Age*, 20 June 2014). After the September election, the new police commissioner, Ben Groenewald, said he was investigating allegations that a sixty-year-old teacher, Josefa Bilitaki, had been assaulted by army officers. Bilitaki had allegedly sent angry text messages to Bainimarama, claiming that his songs had been used without authorization in FijiFirst's campaign materials (ABC, 1 Oct 2014).

These were not isolated cases or departures from an otherwise nonviolent ideology. At the October 2014 postelection budget forum, FijiFirst supporters looked sympathetically to Lee Kwan Yew's Singapore as a model of an initially impoverished and ethnically divided state where an "autocratic government" had needed "to suspend a large measure of their [citizens'] freedom" in order to

achieve long-run economic development (Delaibatiki 2014).

With Parliament once again sitting, obstacles had been removed to a full rapprochement with Australia, New Zealand, and the European Union. Australian Foreign Minister Julie Bishop had visited in February, signaling a warming of relations. After Bainimarama stepped down as RFMF commander in March, the remaining travel bans had been dropped, various aid-funded programs were announced, and Fiji was to be brought into the Australian seasonal workers' program (*The Australian*, 15 Feb 2014). A "credible" election had been critical for both bilateral and multilateral partners, and the standards of what constituted "credibility" were not too exacting. The Asian Development Bank now promised US\$350 million, and the World Bank was also poised to embark on a new program of lending, triggering expectations of an economic boom (FBC, 21 Oct 2014). The remaining Australian and New Zealand sanctions were now dropped. Fiji was readmitted to the Commonwealth and allowed, if it chose to do so, to return to the Pacific Islands Forum.

Earlier, Bainimarama had insisted that Fiji would not rejoin the Forum unless there was a major reorganization of the Pacific regional architecture, including the exclusion as members of Australia and New Zealand. Keen to avoid any dispute, Australian Foreign Minister Bishop proposed a summit to address these concerns in early 2015. Diplomatic relations would meanwhile be restored between Canberra and Suva, including the exchange of

high commissioners (Kubuabola and Bishop 2014).

Not everything on the diplomatic front was plain sailing. Frictions with Papua New Guinea (PNG) continued with a dispute over the selection of Dame Meg Taylor as the Forum's new secretary-general instead of former Fiji Foreign Minister Kaliopate Tavola (ABC, 7 Aug 2014). "Backstabbed" was the *Fiji Sun's* headline (4 Aug 2014), echoing claims that PNG Prime Minister Peter O'Neill had reneged on a deal with Fiji. Yet even this could not overshadow the pinnacle of Bainimarama's 2014 success in projecting himself as a regional leader. On route from the Group of 20 (G20) summit in Brisbane, both Chinese President Xi Jinping and Indian Prime Minister Narendra Modi visited Fiji at different points in November, hosting summits in the country also with other Pacific Island leaders. Modi addressed the new Parliament, though the session was unwisely boycotted by SODELPA's fifteen members.

Commentators speculated that the timing of these diplomatic visits was triggered by Sino-Indian tensions and claimed that New Delhi felt "threatened by China's expanding presence in this Indo-Pacific region" (Balaji Chandramohan, quoted by RNZI, 11 Nov 2014). More plausibly, Fiji's heightened diplomatic activity on the world stage (including new embassies across the globe, 2013 chairmanship of the Group of 77 [G77], and the establishment of the Suva-based Pacific Islands Development Forum; see Firth 2013), as well as the Fiji government's willingness to take an independent stance from Australia, enhanced its attractive-

ness as a stopping-off point in the age of US President Barack Obama's so-called pivot or rebalancing toward the Asia-Pacific. Other regional players too were keen to respond to the perceived heightened geostrategic significance of Fiji. Also in November, Australia's defense-funded think tank, the Australian Strategic Policy Institute, proposed that Canberra fund a regional peacekeeping center at Black Rock Camp in Nadi (*The Australian*, 24 Nov 2014). A succession of senior military officers from Australia, New Zealand, and the United States visited Fiji in late 2014, eager to rejuvenate defense linkages now that the perceived political impediments had been removed. Fiji thus entered 2015 with the context much changed from that at the start of 2014, both on the domestic and international fronts, but it remained a country deeply unsettled.

JON FRAENKEL

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PAPUA NEW GUINEA

The year 2014 marks another period in Papua New Guinea's political history that saw a number of unprecedented challenges facing the government of Prime Minister Peter O'Neill. An accountant by profession who has held various senior ministerial portfolios in previous governments, O'Neill is the leader of the People's National Congress (PNC) Party and was sworn in as prime minister on 4 August 2012 after a period of political impasse that saw the deposition of the government of Sir Michael Somare, the country's founding prime minister, who had enjoyed the prodigious feat of almost ten years in power.

After the 2012 election, the O'Neill government made a number of significant domestic investments and regional commitments, exhibiting Papua New Guinea's clout as the rising regional power. As Papua New Guinea expects to host the Pacific Games in July 2015 and the Asia Pacific Economic Cooperation (APEC) meeting of world leaders in 2018, the government looked toward China's construction industry, awarding a bulk of the construction contracts to major Chinese companies to fulfill its endeavor of having the necessary infrastructure in place to cater for these major events. China's investment in the country has expanded exponentially; in 2014, almost 80 percent of China's EximBank loan and project financing component in the Pacific region was dedicated to Papua New Guinea (Middleton 2014). This goes to show the country's economic prominence among Pacific Island nations, owing

much to its mineral, forestry, and fisheries resources.

Although Papua New Guinea ranks as the second-biggest recipient of Australian Aid (AusAID) after Indonesia, Prime Minister O'Neill continues to make aid commitments to other Pacific Island countries. The PNG government declared at the September 2013 Pacific Islands Forum meeting in Majuro that in 2014 it would introduce a special budget allocation to fund a regional development assistance program. The announcement was followed by O'Neill's proclamation of "ongoing support to the Government of Marshall Islands, with a US\$1 million grant to assist with Forum costs" and to assist with droughts and flooding that affected the atoll nation (Maclellan 2013).

Noting that Papua New Guinea had provided assistance to Samoa after Cyclone Evan in 2012, O'Neill also announced the allocation of K5 million each to Tuvalu and Tonga for programs in climate change assistance and cyclone relief, respectively. (In 2014, one PNG kina [K] averaged US\$.38.) In addition to these direct grants, Papua New Guinea was also supporting smaller Pacific nations through regional agreements such as the Parties to the Nauru Agreement on regional fisheries (Maclellan 2013).

In May, Exxon Mobil PNG Ltd sent the first shipment of 80,000 tonnes of liquefied natural gas (LNG) to Japan. Prime Minister O'Neill stated that Papua New Guinea has been elevated to the exclusive club of nations that produce and export LNG. The economic growth of the project resulted in the employment and training of thousands of locals, more than

K10 billion spent on the project, and hundreds of millions of kina invested in infrastructure and community programs. It was expected that the benefits would flow to landowners through the payment of royalties (O'Neill 2014; *The National*, 15 May 2014).

Although the first LNG shipment marked a milestone for Papua New Guinea, the government acknowledged that the country would not see actual profits from LNG export immediately, but rather in the next few years. As revenue trickles in, it is crucial that the government not lose sight of the value of the PNG Sovereign Wealth Fund initiated by the last government. The organic law establishing this fund “was designed to ensure that all government revenues from minerals and petroleum passed through a stabilisation fund prior to flowing through to the National Budget in accordance with a specified formula, and that PNG LNG dividends accruing to the PNG Government would be paid into a development fund for PNG’s economic and social development” (Osborne 2014).

Among the many issues that haunted the government were the prime minister’s arrest warrant as a result of a letter supposedly signed by him authorizing illegal payments to one of the biggest PNG law firms, Paul Paraka Lawyers, and O’Neill’s signing of a K3 billion Union Bank of Switzerland (UBS) loan purportedly without following the Public Finance Act procedures and seeking the endorsement of the National Executive Council (NEC).

The investigation of the prime minister by the Investigation Task Force

Sweep (ITFS), which was established by the National Executive Council in 2011, became one of the most controversial issues of the year. The ITFS investigation looked into a letter signed by the prime minister authorizing a payment of K71.8 million to lawyer Paul Paraka’s firm. The prime minister, however, claimed that the signature on the letter authorizing the payment was a forgery. In late 2013, the principal of the law firm had been charged with eighteen counts of allegedly receiving A\$30 million (US\$29 million) in fraudulent payments from the PNG government (Radio Australia 2013).

In June 2014, police attempted to arrest Prime Minister O’Neill after the Investigation Task Force Sweep received the findings of an analysis of the prime minister’s signature by a Sydney forensic analysis company, confirming that the signature was O’Neill’s (Cochrane 2014). The attempted arrest of the prime minister spiraled into a flurry of court injunctions challenging the process by which the referral was made and questioning the impartiality of the police fraud squad, labeling the move as “politically motivated”; this became the catchphrase used by other members of Parliament who were also referred to the Ombudsman Commission or accused of other instances of alleged misconduct.

The prime minister was served a warrant of arrest and ordered to present himself to the Police Fraud Squad for an interview. Police Commissioner Toami Kulunga at that time had recently taken leave, after the court found him guilty of contempt for having failed to follow a National

Court order to reinstate another police officer, Geoffrey Vaki, who himself was suspended for a disciplinary case (Papua New Guinea Today 2014).

In a dramatic turn of events, the National Executive Council replaced Kulunga, who had voluntarily stepped down after his conviction, with Geoffrey Vaki as acting police commissioner (*The National*, 17 July 2014). As soon as Vaki was appointed, he immediately suspended Assistant Police Commissioner for Crimes Thomas Eluh, who was leading the Police Fraud Squad, along with other members of the squad. This action raised doubts as to the impartiality of the new police commissioner. When Vaki allegedly failed to enforce the warrant of arrest for Prime Minister O'Neill, the fraud squad immediately instituted contempt proceedings against the police commissioner (*PNG Post-Courier*, 29 July 2014).

The National Executive Council is chaired by the prime minister and his cabinet ministers, who met soon after and resolved to have the Investigation Task Force Sweep disbanded. In July, the National Court issued a permanent stop order preventing the NEC decision regarding the ITFS disbanding. Sam Koim, the ITFS chairman, filed an application in court to review two NEC decisions, the first concerning the ITFS disbanding, and a second regarding the establishment of an Interim Office for Anti-Corruption to replace the Investigation Task Force Sweep (*PNG Post-Courier*, 29 July 2014).

The National Court also stayed the arrest of Prime Minister O'Neill pending the hearing of a constitutional reference at the Supreme Court. The Supreme Court reference was

to establish whether Police Commissioner Vaki had standing to challenge the validity of a warrant of arrest obtained by a Police Fraud Squad officer for the arrest of the prime minister. The reference stemmed from a judicial review application filed by Vaki to challenge the District Court's decision that issued the warrant for the arrest of O'Neill with regard to the letter approving an alleged fraudulent payment to Paul Paraka Lawyers (*PNG Post-Courier*, 21 July 2014).

After the disbanding of the ITFS, the prime minister also announced the setting up of a Commission of Inquiry, to be headed by retired Australian judge Justice Warwick Andrews, to investigate the controversial payments to Paraka Lawyers (*Islands Business* 2014a).

The prime minister's decision not to step down and the ITFS disbanding led to growing calls from former Attorney General Kerenga Kua, Opposition Leader Belden Namah, and the general public for O'Neill to resign (*Islands Business* 2014c). In June, Prime Minister O'Neill had removed Kua and replaced him with Minister Ano Pala. The prime minister, in a meeting with Kua, explained that he was sacking him because of Kua's unwillingness "to amend section 145 of the constitution to further restrict the rights of members of parliament to move a motion of no confidence, to restrict the nomination of an alternative candidate as PM to the ruling party, [and] for allegedly instructing the solicitor general to act against the interests of the Prime Minister" (PNG Facts website 2014).

In November, Attorney General and Minister of Justice Ano Pala

was charged with having conspired with others on 11 July to pervert the course of justice in relation to the Paraka Lawyers legal bills payments case. However, he obtained interim injunctions from the National Court “restraining the police from executing that warrant of arrest until his matter was heard and determined” (*PNG Post-Courier*, 14 Nov 2014).

The Pacific Islands Forum leaders at their retreat in July appointed Papua New Guinea’s Dame Meg Taylor as the new Forum secretary-general, the first female to be appointed to the position. Dame Taylor was serving as a senior official at the World Bank’s International Financial Corporation. The Pacific leaders also announced that Papua New Guinea would be hosting the 46th Pacific Island Leaders Forum in 2015.

Election petitions with the Court of Disputed Returns continued to haunt many members of Parliament (MPs) with challenges to 2012 election results. This has been one of the negative features of the PNG electoral system and has prevented MPs from fully performing their roles in delivering goods and services.

One of those election petition cases is that of the Madang Open electorate. In June 2013, the election of Nixon Duban was voided by the National Court due to allegations of bribery of potential voters. Duban is a member of Prime Minister O’Neill’s PNC Party and was minister for police (Albaniel-Evara 2013). A by-election was called, and Duban won the election, returning to his portfolio as police minister. The challenge was not over, however, as Madang businessman Peter Yama filed another petition, arguing that

6,116 ballot papers containing serial numbers at the back with bar codes were found at a public cemetery (*PNG Post-Courier*, 29 July 2014).

In July, the Office of the Registrar of Political Parties Dr Alphonse Gelu announced that there would be certain changes to the Organic Law on Integrity of Political Parties and Candidates that would also see constitutional amendments for the registrar’s office to access bank accounts of individual MPs and political parties. The changes will address party and candidates’ accounts, fundraising, and donations from businesses and other organizations (*PNG Post-Courier*, 25 July 2014). While this approach may be applauded as a way forward in holding MPs and political parties accountable and promoting transparency, particularly when it comes to election-related funding, it also raises issues of privacy and the constitutionality of accessing MPs’ private bank accounts. There is to be yet more consultation on the legal basis of this proposal as well as more discussions with other relevant stakeholders, such as banks and financial institutions, on laws regulating confidentiality and privacy.

In August 2014, the National Executive Council suspended the Clerk of Parliament Vela Konivaro over serious allegations of financial mismanagement (*PNG Post-Courier*, 8 Aug 2014). It surfaced that Konivaro also was involved in manipulating and changing the content of draft bills that came before the National Executive Council to be presented in Parliament. This was considered a very serious allegation, given Konivaro’s title.

The government takeover of the

PNG Sustainable Development Program (PNGSDP) emerged as another highlight of the year. In early 2014, the government discovered that PNGSDP, under the chairmanship of former Prime Minister Sir Mekere Morauta, had removed any representation by the PNG Government and the people of Western Province from its board when it met in Australia and had also amended its Articles of Association, specifically article 24(b), which provides for the appointment of directors by the PNG government (*Islands Business* 2014b).

The PNGSDP had been set up after the exit of mining company BHP from the Ok Tedi mine in Western Province. The main tasks of the PNGSDP were (1) to invest two-thirds of Ok Tedi's dividends into a long-term fund to be available to the people of Western Province after the closure of the mine and (2) to spend the other one-third on development projects throughout Papua New Guinea (Howes 2013).

When the action taken by PNGSDP to allegedly remove PNG representation from its board was discovered, the government unanimously passed legislation in Parliament to give Papua New Guinea ownership of the country's largest company, Ok Tedi Mining Ltd, and control over PNGSDP as the second-largest development organization. This also led to the sacking of Chairman Morauta. The PNG shares are in a trust fund registered in Singapore as a public company, and the government's taking ownership of them did not go without a challenge from PNGSDP, which took action in the Singapore Supreme Court against the state for what it claimed was a continuing breach of court rules.

Morauta argued that Prime Minister O'Neill was continuing to issue false statements (*PNG Post-Courier*, 4 Sept 2014). The PNGSDP commenced legal action against the state in the Singapore courts and also in the International Centre for Settlement of Investment Disputes. In May 2014, the Singapore High Court dismissed the state's application to appoint a receiver to take control of PNGSDP assets.

As the country prepares to host major events such as the Pacific Games and the APEC meeting, national law enforcement and security agencies have been tasked to improve security and intelligence capacity to show that Papua New Guinea is capable of ensuring and having necessary security arrangements in place for these events. The country's response to such reports is crucial to show that its national agencies are able to act swiftly to address any terrorist concerns in the country.

In September, in response to a headline article in the local newspaper, the *PNG Post-Courier*, the prime minister ordered national agencies to investigate alleged international terrorist links in the country. This followed media reports of a Middle Eastern family with alleged ties to terrorists that has invested in Papua New Guinea over the past ten years. The report stated that at least three companies with Australia-based principals had family members who were connected with terrorist activities (*PNG Post-Courier*, 4 Sept 2014). A task force led by the National Intelligence Organisation was set up to lead the investigations. The task force was given thirty days to conduct the

investigation, take appropriate action to dismantle the alleged terrorist network, and report on the outcome of actions taken (*PNG Post-Courier*, 12 Sept 2014).

Also in September, the National Executive Council approved the expenditure of a massive K2 billion over the next ten years for a complete overhaul of the police force's operational activities. A committee will comprise top police hierarchy to look at all police needs and priorities (*PNG Post-Courier*, 4 Sept 2014).

As the government continues with major infrastructural developments in the capital, Port Moresby, it also endeavors to connect the capital to other provinces by road. The road network among most provinces is still nonexistent. However, the government's proposed highway to connect the highlands provinces to Port Moresby and the Papuan region was met with stiff resistance from political leaders, especially from the latter region. This has somewhat rekindled secessionist sentiments in the Papua Besena movement of the 1970s by astute Papua secessionist leader and former MP Dame Josephine Abaijah (*PNG Post-Courier*, 3 Nov 2014).

In another controversy facing Prime Minister O'Neill, the government obtained a loan of K3 billion from the global finance service company Union Bank of Switzerland (UBS) to buy shares in the company Oil Search Ltd. Commentators say that not only is the loan economically unwise but the manner in which the loan was obtained also breached the relevant laws of the country. It was argued that the process of obtaining the loan breached section 209 of the

constitution in that the Parliament, which authorizes such loans, did not do so in this case through the annual budget process. It was believed that the proceeds from the LNG project were mortgaged toward repaying the loan and that the country will not benefit from the project until years after the loan has been repaid (Yalo 2014). However, the prime minister maintains that there was nothing improper in obtaining the loan and the government had complied with all relevant laws. He also claimed that the purchase of shares would benefit the nation (Walton 2014).

In August, Public Prosecutor Pondros Kaluwin received the referral of Prime Minister O'Neill from the Ombudsman Commission to determine whether there was sufficient, credible, and cogent evidence to ask the chief justice to appoint a Leadership Tribunal. The referral was for alleged misconduct in office (*PNG Post-Courier*, 14 Aug 2014). The subject of the referral relates to allegations that (1) the prime minister had failed to comply with administrative and financial processes, including normal overseas borrowing processes in the approval of the UBS K3 billion loan; (2) the prime minister had sacked former Minister for Treasury Don Polye, accusing the minister in the media of causing instability in the government, when the actual reason was Polye's refusal to sign the UBS loan deal, which the prime minister had unilaterally approved on 6 March 2014; and (3) the prime minister had made a misleading statement on local television station EMTV that he had obtained advice from state agencies

including Bank of Papua New Guinea on the UBS loan to purchase Oil Search shares, which was contrary to the evidence received (*PNG Post-Courier*, 14 Aug 2014).

The Ombudsman Commission investigated the prime minister's alleged misconduct in office, which arose from his failure to uphold his duties and responsibilities of office as required under section 27 of the Constitution and the Organic Law on Duties and Responsibilities of Leadership. The Ombudsman Commission was satisfied that there was a prima facie case and consequently made the referral to Public Prosecutor Kaluwin.

Among the politicians charged for misappropriation was Komo-Magarima MP Francis Potape. The National Court found Potape has a case to answer in relation to alleged misappropriation of K60,000 (*PNG Post-Courier*, 14 Aug 2014). In October, the National Court found Potape guilty of misusing K330,000 in public funds, of which K60,000 was awarded to himself as an allowance. He was sentenced to thirty months in prison (*The National* 2014).

In October, Gulf Province Governor Havila Kavo was also found guilty of misusing K130,000 from a trust account belonging to the people of Kikori district for infrastructure, and he was sentenced to three years' imprisonment (Mathias 2014).

Earlier in April the National Court had sentenced former Finance Minister and MP Paul Tiensten to nine years with hard labor for misappropriating K10 million in public funds. His sentence was the most severe penalty any PNG Court has given to a con-

victed corrupt public official since PNG independence.

In December, Kandep MP Don Polye became the new Opposition leader when the six-member Opposition caucus called a meeting without the former leader, Vanimo-Green MP Belden Namah. Namah disputed the election of Polye by Opposition caucus members; however, Polye's election was recognized by Speaker of Parliament Theo Zurenuoc (*PNG Post-Courier* 2014).

The Manus Island Regional Processing Centre, which was reopened in 2012, continues to raise the ire of human rights groups against Australia's transfer of irregular maritime arrivals (or "boat people") to Manus Island in Papua New Guinea. The Australian government aims to combat people smuggling by seeking PNG support in this regional approach. On 19 July 2013, the Australian and PNG governments entered into a Regional Resettlement Agreement, which states that Australia would transfer asylum seekers who have arrived by boat to Papua New Guinea for processing of their asylum claims, and that Papua New Guinea, not Australia, would settle, on a permanent basis, those asylum seekers who are determined to be refugees (PNG ICSA 2013). On 6 August 2013, the PNG and Australian governments entered into a new memorandum of understanding, which supports the resettlement agreement and supersedes the memorandum of understanding of 8 September 2012 (MOU 2013).

The operations of the Manus Regional Processing Centre and the Regional Resettlement Agreement policy brought the Australian immi-

gration policy on offshore processing centers to a low point and became a focus of controversy for the Australian and PNG governments on the treatment of asylum seekers after a riot at the processing center in February 2014 led to the death of Iranian asylum seeker Reza Barati, allegedly caused by security personnel working at the center (*The Guardian* 2015). Australian and PNG authorities commenced separate investigations into the death of Barati and have identified the alleged perpetrators, but they have yet to be prosecuted.

While the O'Neill government deserved praise for a number of important milestones in terms of meeting the government's prioritized policies and development plans and the government's commitment to investment and economic growth, there continue to be significant challenges to ensuring that major decisions affecting the country are made within defined procedures, policies, and the rule of law.

The fight against corruption is yet to be tangibly seen, when the disbanding of the ITFS team and delay in the establishment of institutions such as the Office of Anti-Corruption continue to engender a loss of confidence in the government in tackling corruption. There remain many unresolved cases involving the prime minister, ministers of government, and members of Parliament, with most of the cases often hampered by court processes.

As Papua New Guinea enters a period of economic boom from its mineral resources and enjoys the proceeds from the LNG project, the management of the country's revenue

and national purse will be critical to ensure that these dividends translate into tangible economic outcomes, not only changing the infrastructural face of Port Moresby but, most important, raising living standards and improving the livelihoods of those in rural areas by giving them the opportunity to participate in the country's economic development.

SOLOMON KANTHA

THE VIEWS EXPRESSED *in this review are those of the author and do not represent those of his employer, the PNG Immigration and Citizenship Service Authority.*

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SOLOMON ISLANDS

Solomon Islands sailed through another turbulent and attention-grabbing year in 2014. Natural disasters struck the country, arson and looting marred efforts to national unity, and a new government was formed. Notable events on which this review focuses are those leading up to and following the national general election. Indeed, this was a critical general election for a variety of reasons. It was the first election after the Regional Assistance Mission to Solomon Islands (RAMSI) announced the commencement of its transition and gradual handover of policing control to the Royal Solo-

mon Islands Police Force (RSIPF). It was also an election after civil society organizations aired frustrations with a Parliament that had legitimated the channeling of state resources into the hands of legislators who were allegedly not very prudent in their decision making. Moreover, the election was the first to be conducted after new legislation on political parties' integrity was passed and implemented, and it offers an opportunity to assess the impacts and effectiveness of that legislation. The election also offers the chance to comment on political stability and gender equality ideals in the country. Finally, the review should enable us to assess what the future holds for the newly elected Democratic Coalition for Change (DCC) Government.

I highlighted in the conclusion to the 2013 Solomon Islands review that there was anxiety and uncertainty over what 2014 had in store for the country (Nanau 2014). Certain events made 2014 seem like business as usual. Throughout the year, tertiary students from regional universities and local institutions continued to suffer from delayed allowances and stipends. At the University of the South Pacific and other Fiji-based tertiary institutions, students continued to be distressed by serious delays in their monthly stipends throughout the year (*SSN* 2014e). The same can be said for those studying in Papua New Guinea's tertiary institutions as well as in the country's own local university, the Solomon Islands National University (*SSN* 2014d). These students' concerns highlight the fact that the government failed to work within budgetary provisions earmarked for

tertiary training. Part of the explanation may be attributed to political interference by members of Parliament and public officers in the selection and awarding of scholarships. It was recently reported that two officers of the National Training Unit (NTU) were suspended for giving awards to a group of students outside of the National Training Council's approved list (*SSN* 2015a).

Another set of practices that seemed to continue in 2014 was that of the looting and burning of businesses and private properties. In the aftermath of the devastating flash floods that struck Honiara and parts of north Guadalcanal in April 2014, 21 people died and 30 went unaccounted for; about 52,000 people were displaced and moved to shelters (*Business Advantage PNG* 2014; *SSN* 2014b). They were the first-ever flash floods that destroyed homes, businesses, and buildings along the Mataniko River. In response to this, humanitarian support came in both locally and internationally. The various embassies and international organizations such as the Australian and New Zealand governments, Fiji, Papua New Guinea, Red Cross International, and Solomon Islands communities residing abroad, especially student communities, responded in cash and kind. The Asian Development Bank (ADB), for instance, gave US\$200,000 toward the relief effort (*SSN* 2014b). Locally, church organizations, the Forum Solomon Islands International, the National Disaster Council, and individual families contributed to alleviate the hardships faced by citizens who lost their homes and/or members of their families. A controversial S1\$15 mil-

lion was distributed to members of Parliament to assist their constituents, despite the fact that only parts of the country were devastated and in dire need of rehabilitation (One Solomon Islands dollar [S1\$] was equivalent to approximately US\$.13 in 2014.). A Solomon Islander academic, Dr Tarcisius Tara Kabutaulaka, noted that "the Cabinet's recent approval to release a total of 15 million to the 50 MPs is fishy" (*SIBC Online* 2014c).

Difficulties faced in the evacuation centers and the lack of clear messages coming from responsible authorities regarding rehabilitation and resettlement led to uneasiness among the displaced Honiara population. A number of them refused to leave the evacuation centers unless they were assured of where they would be resettled or what rehabilitation support they would receive. After weeks of confusion and frustration, looters and arsonists destroyed a shop and a football academy building in the eastern end of Honiara in the King George VI school area on 16 May 2014 (*ABC News* 2014a). The Solomon Islands Police Force, with the assistance of RAMSI, managed to quell the unrest after a night of standoffs and criminal activities. In the process, the national government was tight-lipped and failed miserably to communicate with its citizens, thus enabling mob activity (*SIBC Online* 2014d). The looting and the partial burning and break-in at the football academy contributed to the defeat of the country's under-19 soccer team that competed in Fiji a few days later. For a soccer-crazy country like Solomon Islands, this loss meant that both national pride and the hopes of

participating in the World Cup finals were shattered (*SSN*, 18 May 2014). These events and other negative developments seemed to continue unabated, as similar activities had occurred in 2013, making citizens anxious and uncertain about the country's future. The nationwide disapproval of the Darcy Lilo-led National Coalition for Reform and Advancement (NCRA) government just before the 2014 elections may be attributed to its lack of initiative in addressing these and other chronic national issues. Nevertheless, since there were also preparations for a national general election taking place that year, hopes were pinned on the opportunities that may come with the election into office of a new government.

By mid-March, the registration of voters was already underway. In an effort to close the loopholes in the national registered voters list and taking into consideration experiences of past elections, the Solomon Islands Electoral Commission introduced changes to the voter registration process. One of the major changes was the introduction of biometric voter registration. This was adapted from the voter registration process used in Fiji in its first democratic elections after the 2006 coup. The same Canadian company, Electoral Services International, that provided technical expertise to the 2014 Fiji elections also provided Solomon Islands with this new biometric voter registration process. This was a change from the previous practice in which voter registrars moved from village to village in each constituency to personally register eligible voters. Under the new system, voter registration centers

were established and eligible voters traveled to these registration booths to register their names, have their photos taken, and be issued voter identification cards (*SIEC* 2014). The hope was that on Election Day voters would use the identification cards to cast their ballots.

The new system proved to be very effective in removing ghost voters and people voting in more than one constituency. It was alleged that in the past, individuals could vote in a particular constituency in the morning and again in another constituency in the afternoon. There was no way of cross-checking and eliminating registered voters from double registration or, thus, double voting. The biometric registration removed a total of six thousand multiple registrations and ghost names from the list (*SSN* 2014a). Unfortunately, there were certain concerns with the new system. The first was the difficulty for voters, especially the disabled and elderly, in traveling to registration centers to be registered. The previous system was easier because registration officers actually moved from house to house to do the registration, thereby accommodating the elderly and disabled. The second and more serious concern was the practice wherein voters allegedly sold their identification (ID) cards to would-be candidates or sitting members of Parliament. For instance, there were allegations that certain individuals sold their voter ID cards to the member for Honiara for cash returns (*SSN* 2014c). The intention was that the candidate or member would keep the cards and on Election Day return the cards to the owner, who would then cast a ballot in favor

of the candidate who gave money. These allegations, however, were difficult to prove. Moreover, if it did happen, whether those whose cards were purchased actually voted for the “purchaser” is difficult to ascertain. Suffice it to say that the new biometric system improved the registration of voters and provided a better list of voters than in previous elections.

Apart from the biometric voter registration, another important development prior to the elections was the hurried passage of the Political Parties Integrity (PPI) Bill. The desire to see members of Parliament minimize frequent floor crossing and to discourage independent members switching allegiance in Parliament had been evident for quite a while. For instance, during the reign of the Derek Sikua-led Solomon Islands Alliance for Change government from 2007 to 2010, a similar proposal had been brought up for debate. A draft bill was then created, only to be sabotaged by a faction in Sikua’s own cabinet led by Gordon Darcy Lilo (Nanau 2010). Incidentally, when Lilo became prime minister, he pushed for the enactment of such legislation in the dying hours of his reign (SIBC Online 2014f). The bill went through Parliament and became law just before the national elections in 2014. Two prominent provisions of the PPI Act are the requirement for political parties to register in order to be officially recognized and for candidates to be members of a political party if they enter Parliament as independent members (National Parliament of Solomon Islands 2014).

The intentions of the PPI Act are noble, but the members of Parliament who passed it were not, thus making

it a total failure when implemented. It was originally a move to ensure that elections are credible, free, and fair. Solomon Islanders have long called for this and were excited when it was passed and executed (SSN, 21 May 2014). Over the years, the quality of members entering Parliament has been far from desirable, and a few in the house preceding the 2014 elections were not even contributing to parliamentary debates. In one of his final contributions to the National Parliament, then Leader of Opposition Dr Derek Sikua sarcastically made references to such members by saying that he had not heard some of them sneeze or cough through the microphones. Manasseh Sogavare, another member of the Opposition bench at the time, stressed the importance of amending the Electoral Act as a way to avoid vote buying (SSN, 22 May 2014). The PPI Act was subsequently passed and came into force just in time to be implemented in the 2014 national general elections. Unfortunately, the outcome of implementation left much to be desired. Most of those who debated and passed it chose not to abide by the provisions of the act.

The 2014 general election was seen as important in Solomon Islands for a variety of reasons. Apart from people’s frustration with a leadership that has legitimized the channeling of state resources to itself (ie, to members of Parliament) under the guise of “Rural Constituency Development Funds” (see Dawea 2013), there were also concerns with political stability and gender equality in Parliament. Indeed the historical volatility of Parliament necessitated the initial drafting of the PPI legislation. Moreover, with a bit

more structure to and formalization of political party establishments, each political party would accommodate the need for gender equality and the recruitment of a “better” lot of new politicians. Solomon Islanders and the international community felt that a free and fair election is important to attain the development aspirations of a developing country. The new voter registration system and PPI Act, at least to observers of Solomon Islands political development, have the potential to address the deficiencies witnessed in previous general elections. Likewise, the secretary-general of the Commonwealth, Kamallesh Sharma, stressed the importance of credible elections in shaping the type of society in which Solomon Islanders wish to live. He emphasized that “all concerned—the election management body, political party leaders and their supporters, security agencies, the media, civil society and the voters themselves should play their rightful roles on election day so that the process and results command the confidence and trust of all” (SIBC Online 2014g).

Although the voter registration system solved a lot of problems with the registered voters list, such as repeat registration, ghost names, or the removal of names of deceased persons, it had some issues. The alleged selling of voter identification cards was also a concern, as was the ultimate non-requirement of the use of ID cards on Election Day (Transparency Solomon Islands 2014). The biggest concern, though, is the actual implementation of the PPI Act that was rushed through Parliament just before the elections on 19 November. This was despite

the fact that the Opposition side of the house boycotted the committee stage of the bill, alleging that Speaker Allan Kemakeza was rushing through the clauses and shutting off questions from the group (SIBC Online 2014e). A profound disappointment stemmed from the fact that almost 80 percent of sitting members of Parliament who were responsible for the passage of the PPI failed to campaign under registered political parties but ran instead as independents. It is mind-boggling to think why more than half of the then members agreed to the critical role of the PPI as such an important piece of legislation but went on to covertly protest against their own law when implemented.

A total of 443 candidates contested the elections, a drop from 509 candidates registered in the 2010 elections. Given the record of members of Parliament who legitimated the allocation of various funds to themselves instead of through the normal processes of government administration, it was hoped that many of the old members would be voted out. Unfortunately, this was not the case. Although the PPI Act increased the number of candidates affiliated with political parties to 45 percent from 22 percent of candidates in 2010, sitting members had an upper hand. Indeed, 78 percent of the sitting members retained their seats, a percentage higher than the postindependence average of 54 percent (Wood 2014a, 2). Part of the explanation for this is the discretionary funding available to members of Parliament. For instance, in 2012 each member of Parliament was allocated S\$2 million per year to deliver constituency development projects at the

member's discretion (Haque 2012, 4). It should be noted that since 2013, each constituency has been allocated SI\$5,998,000 (under the 2013 development budget); these funds cannot be expended for any development activity, even if it is administered by government ministries, unless the constituency's member of Parliament affixes his or her signature to support it.

The push for gender equality under the PPI, and efforts by those championing the cause, fell flat on its face. Political parties did not seriously consider the critical role women play in national political leadership. It was expected that with the formalization of political parties through legal requirements to register them for contest, more women candidates would secure seats through the electoral process. Unfortunately, this did not happen, as only one out of the twenty-six women candidates secured a seat. Even so, Freda Soria Comua still has an election petition hanging over her head by former member of Parliament and Foreign Affairs Minister Clay Forau Soalaoi, whom she unseated. The first national female member, Hilda Kari, contested the Central Honiara seat but secured fewer votes than the other candidates in that constituency. The only other woman, Vika Lusibaea, who was a member for North Malaita in the previous house, did not contest her constituency because her husband, Jimmy Lusibaea, who was previously disqualified from Parliament, was eligible to contest the 2014 elections. She nevertheless contested the East Honiara seat but was also badly defeated. Similar results were noted in the 2010 elec-

tions where all female candidates who contested in twenty-one constituencies then received only 4 percent of the votes (McMurray 2012, 2).

Terence Wood explained that the critical factors that contributed to the difficulty of women winning seats include the different standards of behavior that women are held to, lack of money to support their election efforts, and lack of support from influential brokers or local male figures (2014b, 1). A recent report by Karlyn T Roughan and Lisa Wini highlights three reasons why women did not normally get more votes, including people not knowing the candidates or their backgrounds well enough, not hearing their campaigns, and feeling that the women candidates were not qualified enough to be elected (2015, 15–18). High Court Justice Stephen Pallaras also felt that women's organizations ought to "unite in strength and fight for the women of this country" (SIBC Online 2014h). The history of Solomon Islands elections and gender equality efforts show that there is little hope for this happening under the current electoral system, even with a united front by women's organizations. A more realistic call would be to work toward a new electoral system that would advance the equal representation of all Solomon Islanders, including minority groups and women.

The national general elections generated mixed expectations and outcomes. There was uncertainty as to how peaceful the elections would be because of previous experiences in 2006 after the Snyder Rini-led government was sworn in. As a contingency plan, about ninety-six participating

police officers, including riot police from Australia, New Zealand, Cook Islands, Vanuatu, Papua New Guinea, Tonga, and Tuvalu were brought in to support the force (SIBC Online 2014a). The election was nevertheless peaceful except for minor incidents. A group of Commonwealth election observers headed by former PNG Prime Minister Sir Mekere Morauta confirmed the peaceful conclusion of the election (SIBC Online 2014b). Despite the high retention rate of sitting members, some longtime, prominent politicians, including former Prime Minister Gordon Darcy Lilo, were booted out. Lilo was dethroned by a teacher and newcomer, Jimson Tanangada, by more than two hundred votes (ABC News 2014b). The others were Job Dudley Tausinga, a long-serving member of Parliament, and former Foreign Affairs Minister Clay Forau, who was ousted by Freda Soria Comua by twenty-two votes (SSN, 27 Nov 2014).

Whatever one thinks or says, the reality is that Solomon Islands voted in fifty members of Parliament in the 2014 general election from the twelve registered political parties and independent candidates. Out of these elected members, 66 percent contested as independent candidates, while only 34 percent came from six registered political parties. The other six registered political parties failed to secure a single seat in the house. The results made a mockery of the recently enacted PPI Act aimed at strengthening political parties. What transpired from the results is the incredibly powerful role played by independent members of Parliament in government formation and disintegra-

tion in Solomon Islands politics (see Nanau 2010). Two camps emerged and engaged in horse-trading in the lead-up to the nomination and election of Prime Minister Manasseh Sogavare. It should be noted that Sogavare was elected as an independent member and had to join a registered political party prior to his election as prime minister because of the provisions of the PPI Act, supported by a High Court decision in mid-November 2014 (Radio New Zealand 2014).

The election of Prime Minister Sogavare and his DCC government was welcomed by many Solomon Islanders. Three former prime ministers are also in his cabinet: Derek Sikua, Snyder Rini, and Danny Philip. Sogavare also toned down his previous anti-Australian stance to one that is more conciliatory and engaging. The DCC government came into power with the baggage left by the previous Lilo-led NCRA government. One lingering problem was the six-month standoff between Solomon Islands Airlines and Fiji Airways (Fiji Times Online 2014). The DCC government took swift action to restore relations with Fiji by giving Fiji Airways the additional flight they requested into the country. This was despite the frustration expressed by many Solomon Islands observers and airline personnel about the skewed nature of the deal, whereby Fiji Airways got what it wanted but Solomon Islands Airlines got nothing (see ABC News 2015; SSN 2015b). In addition to this rushed decision in the airlines saga, Prime Minister Sogavare went ahead and made political appointments starting with his special secretary and thirty-nine others. The debate on these appointments and their

suitability in their positions dragged on into the beginning of 2015 (SIBC Online 2015), but the DCC maintained that the list of political appointees leaked by the social media was not official. However, they failed to submit a formal list of names of these appointees even after three months in office.

The DCC government also released its policy statements in late January (OPMC 2015), a move that was both welcomed and snubbed. Most of the policies listed and projects identified have been indicated in many previous government policies. Skeptics would like to see how different the DCC government will be in addressing these development issues. The DCC policy strategy to undertake serious fundamental reforms would hopefully result in national unity, stability, and development. The challenge now is to find the money to deliver services and ensure that some projects in this “development wish list” become realities. As 2015 progresses, the role of the thirty-nine political appointees (called “consultants”) is still not clear, and the national Opposition is again at the government’s throat, observing every move and decision made. Fighting corruption is said to be the focus of the DCC government, a very welcome move in a country like Solomon Islands. Whatever happened in the government, the responsibility of the Solomon Islands voter has been fulfilled with the election of representatives to Parliament. They can only hope that some of the Rural Constituency Development Fund revealed earlier and development projects and services listed in the DCC policy and plan reach them in the next four

years. The way ahead is in no way more clear than what it was in 2014. Solomon Islanders can only hope that the “change” indicated in the name of the current DCC government actually generates positive livelihoods for them and their children.

GORDON LEUA NANAU

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TIMOR-LESTE

For Timor-Leste, 2014 began with looming political uncertainty. In November 2013, Prime Minister José Alexandre “Xanana” Gusmão announced that he intended to resign from office in the coming year, with September floated as a possible date, ostensibly in order to promote generational renewal of national leadership. According to some accounts, Gusmão’s plan was to establish a small council of senior advisors (of which he would be a member) drawn from across the political spectrum that would provide direction to his hand-selected replacement and new government. But September 2014 passed with Gusmão still in office and continuing to trumpet the benefits of major development projects while dismissing criticism of corruption within his government and passage of new restrictions curtailing basic rights. After a flurry of new rumors in early

2015, Prime Minister Gusmão did in fact tender his resignation to President Taur Matan Ruak on 5 February. A week later, the president approved the appointment of former Minister of Health Dr Rui Maria Araújo, from the opposition party Fretilin, as prime minister, and a slimmed-down new cabinet was announced.

The state budget is the fulcrum around which almost all aspects of politics, development, and social debate in Timor-Leste now revolve, so it is with an overview of the budget that any review of the previous year's events must begin. The proposed 2014 state budget totaled \$1.5 billion—representing a slight decrease from the budget proposed for 2013 (\$1.67 billion) but an increase over the amount actually executed the previous year. When the budget was ratified in early 2014, the breakdown by major category was as follows: salaries and wages \$167 million (11.1%); goods and services \$476 million (31.7%); public transfers \$292 million (19.4%); minor capital \$40 million (2.6%); and development capital \$526 million (35%) (all budget figures are from La'o Hamutuk 2015).

Development capital, which includes the infrastructure fund, accounted for one-third of the total budget. Within this category the largest allocation was for repair or construction of roads and bridges (\$90 million), including a Japanese-supported project to improve the main road from Liquiçá District to the Indonesian border and a World Bank-assisted project to rebuild the major north-south road through Ainaro District to the south coast. Plans for the development of a so-called Petro-

leum Corridor along the south coast, once promoted through flashy public presentations, wisely has been curtailed, with only \$52 million budgeted (out of a total projection of \$291 million) for the Tasi Mane supply base near Suai. The proposed new national airport in Dili and the new port facility in Tibar are still in the planning stages so received relatively modest allocations.

The most dramatic—indeed fantastical—addition to the long-term national development plans was passage of Law 3/2014 making Oecusse District a special administrative region and the announcement that the enclave would be the recipient of a huge makeover, including the development of a new port and airport, an industrial zone, and an entirely new planned city called the Special Zones of the Social Market Economy of Timor-Leste (known by the Tetum-acronym ZEESM). This project has been handed to former Fretilin Prime Minister Mari Alkatiri, effectively buying off the only serious political opposition. While the long-term planning is for a joint public-private investment of \$4.1 billion, the immediate focus is on preparation of infrastructure for the five-hundred-year anniversary of the first arrival of Portuguese explorers later this year and the hope of attracting a visit by Pope Francis in the near future (Yoder 2015).

While much of the discussion by both the government and its critics has focused on the feasibility and utility of these major infrastructure projects, another line under “public transfers” in the national budget has quickly emerged as a mega-project of its own: payments to veterans. Over

the past several years the government passed legislation for veterans' pensions and cash transfers for widows and children of fallen veterans, at staggered rates depending on the number of years of service. The enacted 2014 budget included \$88 million for veterans, representing nearly as much as the already bloated expenditure on security. Even more revealing are the negotiations that took place late in the year over the proposed 2015 budget, during which it was agreed that while most other forms of public transfers (social security, housing, etc) would be decreased, veterans' payments would be raised by 56 percent to \$137 million. This constitutes 9 percent of the total national budget, a figure that at the end of the year will inevitably be even higher as a percentage of the total executed budget. Reflecting their consolidation as a political bloc, veterans have emerged as the most "mega" of the current mega-projects.

Timor-Leste is one of the most petroleum-dependent countries in the world. In 2014, an estimated 95 percent of state revenue was derived from this sector, and 89 percent of the state budget was drawn from the Petroleum Fund. The availability of and dependence on revenue from a single natural resource brought three issues to the fore in public discussions and media reporting during 2014.

First, despite verbal commitments to abide by the Estimated Sustainable Income (ESI) of the Petroleum Fund, the second Gusmão-led government has consistently violated this core principle. In 2014, new concerns about the ESI emerged on two different fronts. Timor-Leste's oil and gas reserves may not be as large as previously

estimated. In 2013, ConocoPhillips, which operates Timor-Leste's most important oil and gas field (Bayu-Undan), revised its production projections downward, estimating that Timor-Leste would receive nearly 50 percent less revenue than in previous forecasts. Production from the Kitan field is due to end in 2016 and that from Bayu-Undan in 2020. Of equal concern, in 2014 global oil prices fell by over 40 percent, with the decline continuing into early 2015. Taken together, these two factors indicate that current withdrawals from the Petroleum Fund and financial planning are even less sustainable than the government originally predicted or has cared to admit (Scheiner 2015).

A second issue relating to the government's major infrastructure projects concerns the geographic distribution of the benefits and local oversight. The bulk of this spending is seen to benefit Dili (new airport and port facilities as well as construction of government buildings); Suai district (the Supply Base and whatever comes of the petroleum corridor); and Oecusse (ZEESM). Recognizing the need for greater local involvement in the development process, the government has made the first tentative steps to initiate decentralization. In October 2009, the government published Ministry Diploma 7 to establish a Commission for the Preparation of Municipalities. But it was not until early 2014 that the Council of Ministers approved Decree Law 4/2014 on the Organic Statute of Administrative Pre-Deconcentration. In contrast to the plan formulated by the Fretilin government in 2003–04, which called for decentralization at

the subdistrict level, the new decree law stipulates replacing the current system of districts with municipalities, each of which will be headed by an appointed manager and an elected municipal assembly (Ximenes 2010). The new law authorizes the municipalities to produce an annual budget, an annual report, and a municipal development plan. However, it is not clear whether or when this interim experiment with administrative deconcentration under appointed heads will be followed by direct elections or the granting of political authority to raise revenue.

Third, corruption cases proliferated in 2014. At least eight members of Gusmão's cabinet were under investigation by the independent Anti-Corruption Commission. Minister of Education João Cândio Freitas was convicted of corruption, while the trial of Minister of Finance Emília Pires, originally scheduled to begin in October, was postponed indefinitely because of political interference. Beyond high-ranking officials, foreigners working for the Timor-Leste government and in the private sector also have been involved in corruption cases. In June 2014, an American lawyer named Bobby Boye, who worked as an advisor in the Timor-Leste Ministry of Finance from 2010 until 2013, was arrested by US agents and charged with wire fraud and using his influence to have the ministry pay \$3.5 million into an account of a fictitious company. In another case, a Portuguese businessman from Macau who worked in the telecommunications sector was imprisoned without trial on charges of transferring \$800,000 to his wife's account

in Macau, and his family's passports were confiscated.

While charges of corruption are not new in Timor-Leste, the proliferation of such cases in 2014 led opposition figures, journalists, and civil society organizations to charge that Prime Minister Gusmão was actively protecting corrupt officials within his government (Allard 2014). On 22 October, Gusmão submitted an official request to the National Parliament asking that members of government remain immune from prosecution until after the 2017 election, but Parliament turned down the request. On the anniversary of the 1999 Popular Consultation on independence from Indonesian rule, President Taur Matan Ruak granted a pardon to five prisoners, among whom was former Minister of Justice Lúcia Maria Lobato, who had been convicted of corruption and sentenced to a five-year prison term. (This was not the first instance of a controversial pardon. In 2008 President José Ramos Horta granted a pardon to former Minister of the Interior Rogerio Lobato, who had been found guilty of manslaughter and the distribution of weapons to civilians.)

The ballooning of the state budget over the past several years has enabled the government to effectively buy off most parliamentary opposition. The centerpiece of this strategy in 2014 was the accommodation reached between Prime Minister Gusmão and his onetime foe, Fretilin leader Mari Alkatiri, and the agreement to hand management of the Oecusse Special Administrative and Economic Zone to Alkatiri. This political accommodation was sealed in late 2014 when Gusmão

publicly stated that he had been wrong to rely on Australian sources with regard to then-Prime Minister Alkatiri's involvement in the arms scandal that provided the immediate trigger for the outbreak of violence in 2006—which had paved the way for Gusmão's own ascension to the position of prime minister. Meanwhile, the generous veterans' benefits initiated over the past few years have made former members of the resistance, regardless of party affiliation, an increasingly confident pro-Gusmão bloc within Parliament and one that is backed by a wide and influential constituency throughout all thirteen districts.

In the absence of meaningful democratic opposition in Parliament, the locus of opposition has shifted outward to the districts. The longest-standing focal point for criticism now resides with the Popular Democratic Council of the People's Democratic Republic of Timor-Leste (CPD-RDTL), an organization that in 1999 claimed to stand for the 1975 constitution and therefore opposed the United Nations interim administration and the continued international presence in the country. Although the behavior and statements made by CPD-RDTL leaders are often erratic, grassroots support for the group's ideals has not only persisted but spread during the past year. The organization appears to have greatest support in Baucau and Bobonaro districts but has also been active in Manufahi, Covalima, and elsewhere.

Expressions of opposition to the government intensified in late 2013 when a former resistance commander named Paulino "Mauk Moruk"

Gama returned to Timor-Leste from the Netherlands, where he had lived for nearly thirty years. In 1984, Mauk Moruk had been involved in a struggle over leadership of the resistance but came out on the losing end and surrendered, eventually making his way into exile. Soon after his return to Timor-Leste, Mauk Moruk declared the establishment of the Maubere Revolutionary Council (CRM) and called for the resignation of the government and a return to the 1975 constitution. Supporters in his home region of Laga, wearing military uniforms, carried out public demonstrations. In response to the perceived threat, on 3 March 2014 Parliament issued Resolution 15/2014, stating that Mauk Moruk's CRM and CPD-RDTL violated the constitution, the penal code, and Decree Law 7/2014. Both organizations were thereby declared illegal. Leaders of CRM and CPD-RDTL quickly rejected the parliamentary resolution and the accusations that they were armed and had misused military uniforms (Marisa Gonçalves 2014).

The March parliamentary resolution provided legal grounds for the National Police of Timor-Leste (PNTL) to begin conducting operations against both CRM and CPD-RDTL. Arrests commenced at the CPD-RDTL head office in Balide, Dili, where nineteen members were detained. In Laga, PNTL personnel lowered the flags at the CRM base at Lalulai and detained two people, but other supporters evaded arrest. (National police had also arrested members of the Bua Malus group, which is led by Labarik Maia, in Buruma, Baucau, in December 2013.) On 13 March, the PNTL

arrested Mauk Moruk at the CRM headquarters in Fatuhada, Dili. Mauk Moruk, his brother Cornelio “L-7” Gama, and the Bua Malus leader Labarik Maia were then brought to court for pretrial proceedings. All three were detained in Becora prison while awaiting trial. In response to a police order for all CRM and CPD-RDTL members to report to the security forces, some supporters of these groups are reported to have gone into hiding.

The most important issue regarding rights in 2014 involved a new Media Law significantly curtailing the freedom of journalists (including fines for violating the law), regulating media ownership, and requiring foreign journalists who wish to operate within the country to obtain official permits. During the first half of 2014, Parliament debated a draft of the law, which, despite widespread objections from civil society, was approved on 6 May 2014 and then submitted to the president of the republic. Rather than using his prerogative right to approve or veto the law, President Taur Matan Ruak asked the Court of Appeal to examine it. After deliberation, the Court of Appeal returned the draft law to the National Parliament for improvement and advised that the draft law must be compatible with the constitution. On 16 December, the Court of Appeal declared the Media Law to be unconstitutional. In response, Vice President of Parliament Adriano Nascimento rejected the court decision on grounds that it was issued by an international judge who was subsequently expelled from the country.

Passage of the new Media Law

stimulated widespread outcry from human rights organizations, journalists, and civil society in the country and received considerable international media coverage. Human Rights Watch expressed concern about the requirement that all journalists must obtain licenses, the establishment of a five-member press council, and the unclear definitions of “national culture” and “public interest.” Civil society groups argued that the stipulation that all journalists must obtain a license and the definition of journalistic activities would adversely affect civil society, freelance writers, bloggers, and other commentators. Others agreed that the law would prevent the media from reporting on corruption and other cases involving public officials. In an interview with *The Economist*, José Antonio Belo, the president of the Timor-Leste Press Union, publicly stated that he would not register as a journalist and was ready to pay any fines imposed and even go to prison (*Economist* 11 Sept 2014).

A second critical issue relating to the law emerged in October 2014 when Parliament, acting at the request of Prime Minister Gusmão, secretly passed a resolution calling for an audit of the judicial system and the immediate dismissal of all foreigners working in the judicial sector, including foreign judges, prosecutors, public defenders, and judicial advisors. On the same day, the government issued a resolution terminating the contracts of foreign judicial workers on grounds of national interest. In late October, the president of the Court of Appeal stated that the resolution violated the principle of separation of powers and

called on all foreign judicial workers to return to their functions. Nevertheless, the government ordered the Immigration Department to immediately revoke the working visas of eight foreign judges and prosecutors and insisted that they leave the country within two days (Leach 2014). Several of the judges whose contracts were terminated were due to hear corruption cases involving government officials, the current Speaker of the National Parliament, and police personnel, reinforcing the perception that the prime minister was acting to protect cabinet members charged with corrupt practices.

This government decision prompted outrage domestically and sharp condemnation from international human rights organizations. Amnesty International issued a statement expressing concern that the sudden departure of the foreign judicial workers would delay access to justice for victims, particularly women and children who have experienced domestic violence, and would adversely affect trial dates for those in prison (Amnesty International 2014). What impact this decision will have on access to the law and judicial independence is one of the great unknowns going into 2015.

Government officials have taken great pride in the fact that economic growth has exceeded 7 percent for the last few years and continue to promise that investment in major development projects will bring long-term benefits. While there is a desperate need to improve basic infrastructure, the much-heralded South Coast Petroleum Corridor is now on hold and the projected spending on the Oecusse Special Zone is unlikely to succeed. These

mega-projects and profligate budgeting for veterans are diverting resources and attention from the pressing issues of domestic food security, accessible health care, and job creation. For these reasons, in the coming year the newly installed government led by Prime Minister Rui Maria Araújo is likely to face increased friction around questions of budgeting, corruption, and internal security, as well as difficulties holding the patchwork cross-party government together.

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VANUATU

In many ways, 2014 in Vanuatu was much like any other year: periods of political instability with rumored votes of no confidence, one leading to a change of government; accusations of fraud and corruption; and court challenges. At the same time, there were periods of relative calm and moments of proud achievement with the introduction of a new system to elect municipal councils that guarantees women a third of the seats and the smooth election of Vanuatu's eighth president, and celebration when Vanuatu was finally connected to the Southern Cross undersea cable, providing a new level of communication to the rest of the world.

Compared to previous years, the population of Port Vila woke up a bit

earlier in 2014 after the usual quiet Christmas/New Year holiday period, due to the election of a new Municipal Council, scheduled for 7 January. The vote was significant, since it was to be based on an amendment to the Municipalities Act (Municipalities [Amendment] Act 11 of 2013), approved by Parliament the previous year, which guaranteed that 30 to 34 percent of municipal council seats were to be reserved for women (Van Trease 2014, 545). The new law applies to the two existing municipal councils in Vanuatu—Port Vila and Luganville—and any future municipal councils that might be established. The procedure subsequently approved by the Council of Ministers allows voters in each municipal ward (five in Port Vila, for a total of seventeen seats) two votes—one for a general list consisting of both male and female candidates and a second for a list reserved for female candidates only.

While interest seemed high, voter turnout was low, common for municipal elections in Vanuatu, with only 35 percent of the 28,691 registered voters casting their ballots. The counting of votes for the general seats is based on a system of proportional representation reflecting the number of candidates fielded by the different parties, while the seats reserved for women are determined by first past the post—one seat for each of the five wards. The results reflected those of the Port Vila constituency in the 2012 general election, when the parties then in Opposition—now the current government—dominated. The Vanua'aku Pati (VP) won 5 seats, Green Confederation 5, Union of Moderate Parties (UMP) 4, Graon mo Jastis Pati (GJP) 2,

and there was one independent (*VDP*, 18 Jan 2014; Republic of Vanuatu, Official Gazette).

The UMP, VP, and GJP signed a memorandum of understanding to run the Municipal Council (*VDP*, 20 Jan 2014). One of the UMP councilors, Ulrich Sumptoh, defeated a Green candidate for the position of mayor. This was not surprising given the failure of the Greens (led by then Prime Minister and Member of Parliament [MP] for Port Vila Moana Carcasses) to follow through on a preelection agreement whereby the GJP would forgo running candidates for the general seats in the southern ward in return for the Greens not running a candidate for the woman's reserved seat. The Greens, in fact, ran an independent candidate on the general list, who won the seat, costing the GJP an expected victory (Republic of Vanuatu, Official Results). The failure of the Green Confederation to honor this agreement with GJP on municipal-level politics had a carry-over effect nationally. It signaled the perception that the leaders of these two parties were no longer as close as they once appeared to be.

There was no evidence of any reluctance to accept the new voting system, and therefore, for the first time in Vanuatu's electoral history, thousands of both men and women voted for and elected multiple female candidates to political office. It should be noted that women do not use their numerical power to unite in support of female candidates but rather seem to follow the men in their families. As a result, since independence, only five women have been elected to Parliament and a similar number to the municipal councils of Port Vila and Luganville.

The election was indeed revolutionary in Vanuatu's electoral history and a first among Pacific Island countries as a whole.

Except for the National United Party (NUP), the Opposition did not get involved in the municipal election, but it had not gone to sleep. By mid-February, rumors began to surface of an impending motion of no confidence against the Carcasses government (*VDP*, 17 Feb 2014). The last such motion had occurred in July 2013—tabled by the then leader of the Opposition, Ham Lini—but was dismissed on technical grounds relating to the validity of signatures (Van Trease 2014, 548). With a reported 27 out of 52 MPs having signed the motion for an extraordinary session to be convened, the government appeared to be under threat with only 24 MPs on its side (*VDP*, 18 Feb 2014). (Note that the Speaker, who is an elected MP, does not vote unless there is a tie or in the case of the actual election of prime minister.)

Up to this time, government support had been quite solid with a total of 36 MPs out of 52, comprising basically two blocs—the Carcasses group and a group led by Edward Natapei, deputy prime minister and leader of the Vanua'aku Pati. In addition to the VP, the Natapei group consisted of MPs from the GJP, UMP, and Melanesian Progressive Party (MPP), none of whom, it was reported in a press release, had signed the motion of no confidence.

The problem for the government arose when 11 MPs who had been part of the Carcasses group switched sides and formally reconciled with the Opposition. Included were mem-

bers representing the Iauko Group, Nagriamel, Natatok, and the Vanuatu Republican Party, as well as an independent. The Opposition at that point had comprised 16 members and was led by Ham Lini, leader of the National United Party, as well as MPs from the People's Progressive Party, Reunification of Movement for Change, Vanuatu Liberal Democratic Party, and an independent.

It was reported that the eleven disaffected MPs had decided to move against the government because Carcasses had failed to follow through on undertakings he made the previous year. He had not supported a promised increase of MP allocations from 4 million vatu to 10 million (US\$1.00 averaged around 96.8 vatu [VT] in 2014), given to MPs to fund projects in their own constituencies, which he later denied, and had not fairly distributed roofing iron given by the Chinese government to Carcasses's Green Confederation (*VDP*, 26 Feb 2014).

Realizing they did not have the numbers to survive a no-confidence vote, the government boycotted the extraordinary session of Parliament that was scheduled for 24 February. At a press conference on the same day, Prime Minister Carcasses made an offer of four ministerial portfolios to members of the Opposition bloc, which was initially rejected but accepted a few days later, returning the government to a majority of 28 with the Opposition at 23. Realizing they no longer had the numbers, the Opposition withdrew the motion of no confidence (*VDP*, 27 Feb 2014). A total of nine political parties remained united in opposition: the National

United Party, Reunification of Movement for Change, Vanuatu Republican Party, Vanuatu Progressive Party, Nagriamel, People's Progressive Party, Iauko Group, Hope, and Natatok (*VDP*, 3 March 2014).

Rumors of yet another move against the government became reality when a motion of no confidence was tabled during the second week of May, lodged by the leader of the Opposition, Ham Lini, and the deputy leader of the Opposition, Sato Kilman. It was signed by thirteen MPs, all from the Opposition, and was scheduled for debate on the afternoon of 15 May. Six reasons were given for the motion, which accused the prime minister of reckless financial policies "with the potential to destroy the country's foreign reserves and import cover in the near future . . . [that he] is gambling the future of the country on questionable schemes . . . without the required due diligence," such as the CIIP scheme [Capital Investment Immigration Plan, designed to sell permanent residence visas to wealthy Chinese], real estate deals and the proposed international airport. He was also accused of allowing the "deterioration of the health services throughout the rural areas" and of becoming "dictatorial" toward key government institutions and "interfering with the Public Service Commission to promote his political supporters" (*VDP*, 10 May 2014).

In a press conference on the day before the impending vote, Carcasses rejected all the allegations leveled against him, and Deputy Prime Minister Edward Natapei attempted to assuage rumors that his own Vanua'aku Pati was backing the

motion. Natapei pledged his support and that of the bloc of parties he headed, totaling 18 MPs out of the 35 who made up the coalition—the VP, GJP, and UMP—and confirmed that he had not received any indication from the other two parties that they were contemplating a move in support of the Opposition’s motion. Furthermore, he assured the prime minister that he would inform him, as required under the coalition agreement, if he heard anything. When quizzed by a reporter “if he would be the sole VP MP sticking with the PM while all the other VP MPs would be moving to support the motion,” he made the point that “it is important for the future and the solidarity of the party [VP] for all of us to remain with the Government” (*VDP*, 15 May 2014).

Nevertheless, when the motion was voted on the following day, 35 MPs, including those from the VP and the GJP, joined the opposition to remove Carcasses. He was replaced by veteran VP politician Joe Natuman from the island of Tanna, who was the sole nominee and who received an unprecedented 40 votes out of the total of 52 MPs, with 9 voting against and 3 abstaining. More MPs voted for Natuman than had crossed the floor to vote to censure Carcasses.

There were reports that the move against Carcasses stemmed from his successful attempt at removing Natapei as prime minister in 2010 and that Natapei had been aware of the plot all along. While there may be an element of truth in the “revenge” theory, growing concern over a number of the prime minister’s policies as outlined in the motion—but, in particular, his promotion since 2013 of a US\$350

million guarantee for the construction of a new airport by a Singapore company best known for tobacco production—appears to be the most compelling reason uniting the 35 MPs from the Opposition and within the government coalition to vote to replace Carcasses (Van Trease 2014, 549–550).

Carcasses himself would have been surprised by the outcome of the motion, since those plotting against him did not have to reveal the full degree of their support until the actual day of the debate. They only needed nine signatures to table a motion of no confidence, since Parliament was in session (Parliamentary Standing Orders, Para 14 [1]). If Parliament is not in session, a motion presented to the Speaker must be accompanied by a request to call an extraordinary session, which requires the support of a majority of MPs, or 27 signatures. Since the motion in May was tabled during an ordinary session of Parliament, there was no need to recall Parliament and, therefore, no need to demonstrate support beyond the required 9 MPs who signed the motion, though 13 actually signed. Carcasses, therefore, seems to have been unaware of the substantial backing for the motion and would have been moderately confident of surviving the no-confidence vote, having been assured by Natapei of the support of the largest party grouping in his governing coalition. It was reported that on the day the motion was debated, the VP and GJP symbolically “crossed the floor”—accompanied by Deputy Speaker Edward Natapei—to join with the Opposition to bring him down. This brought to an early end

the one-year leadership of the nation by Carcasses, whose accession to the position, as the first naturalized citizen to do so, was controversial. He may now be a spent force in Vanuatu national politics.

The new government moved quickly to demonstrate a new course. Prime Minister Natuman aligned himself and his new government with the “core values” of the founding fathers of the country—“honesty, respect, transparent and accountable, and proper” management of government “not to live beyond your means” (*VDP*, 22 May 2014). The prime minister also announced that portfolios would not be offered to MPs who perpetually crossed the floor in Parliament and contributed to ongoing political instability. Members of the Iauko Group, in particular, were mentioned. At the same time, the government gave notice that it intended to introduce a leadership integrity bill to ban MPs from crossing the floor in Parliament (*VDP*, 21 May 2014). As a result of these decisions, it soon became clear that the government would not be able to sustain the very large degree of parliamentary support it had enjoyed in the vote of no confidence and election of Natuman as prime minister. However, while rumors of votes of no confidence surfaced almost immediately, the government was never seriously threatened for the rest of the year.

Just one week after Natuman took over as prime minister, his position was strengthened beyond doubt when the Supreme Court announced that it had dismissed election petition case 3, relating back to the national election in 2012, involving all seven seats in the prime minister’s home constitu-

ency of Tanna. The election had been challenged on broad grounds relating to the use of unauthorized envelopes for casting votes, proxy voting, and allegations of bribery. The petition was one of twenty-four lodged after the election, all of which were ultimately dismissed. In the Tanna case, the Supreme Court found that the petitioners had failed to establish grounds for overturning the election results, thus eliminating any doubt as to Natuman’s position and authority (*VDP*, 24 May 2014). The inordinate delay in resolving the election petitions brought to light a weakness in the overall voting system, which needs to be resolved in the future.

The two coalitions of parties that emerged to form the new government and the Opposition revealed what may become an increasingly important trend in Vanuatu politics—the attempt to reconstitute the old party groupings from the time of independence. During the 1980s, Vanuatu politics was dominated by just two parties: the Vanua‘aku Pati, which held government throughout the decade, and the Union of Moderate Parties. However, both parties eventually splintered due to internal leadership rivalries.

In 1987, following a failed attempt to unseat Father Walter Lini as president, Barak Sope left the VP and set up his own Melanesian Progressive Party (MPP). The most significant split occurred in 1991, when Lini was forced out of the VP in a power struggle and established his own National United Party (NUP), led today by his brother Ham Lini. Sato Kilman broke away from the MPP in 2001 and established the People’s Progressive Party (PPP). Having divided

their followers, neither the VP nor NUP was able to win a majority in the 1991 national election, allowing the Union of Moderate parties (UMP), led by Maxime Carlot Korman, to form a coalition with NUP—a chance for Lini to get revenge on his former VP allies who had maneuvered his demise (Van Trease 1995, 73–163). Within a few years, however, the UMP also began to have leadership problems. By 1995, Serge Vohor had forced Korman out of the UMP, the latter establishing his own Vanuatu Republican Party (VRP), and in 2012 Charlot Salwai broke away and established what he now calls Reunification of Movement for Change (RMC). Not long after, Korman lost control of the VRP and formed the Vanuatu Democratic Party, and his nephew, Alfred Carlot, reconstituted the Natatok Party (Van Trease 2014, 531–532).

Earlier in 2014, the leaders of both the VP and the UMP announced their intention to attempt to reconcile the breakaway political groups from their respective parties. UMP organized a meeting of “Moderates” in Luganville, where then Minister Serge Vohor (leader of the UMP) correctly argued that the total number of votes for moderate candidates was not reflected in the number of MPs elected. Those invited to the meeting included Prime Minister Moana Carcasses (Green Confederation), Vincent Boulekone (former Tan Union), MPs Stephen Kalsakau and Charlot Salwai (Reunification of Movement for Change), MP Paul Telukluk (Namaki Aute), MP Willie Jimmy (Liberal Democratic Party), Nagriamel leaders, and moderate leaders from Tanna (eg, John Frum, Kapiel). Salwai, claiming to also

speak on behalf of Nagriamel, John Frum, and Kapiel, rejected the UMP call for unity (VDP, 4 Feb, 6 Feb 2014). It should be noted that Salwai joined with the VP, NUP, and GJP to topple Carcasses, who with Vohor (UMP) formed the new Opposition in May.

The Vanua‘aku Pati, which has recently been identified as representing the “Nationalists”—harkening back to its role as leader of the group that led the struggle for independence—has announced its intention to reconcile with its former political allies but has not found the process any easier to achieve than that of the UMP. While informal discussions have been underway for some time with Ham Lini and NUP, and with Barak Sope’s MPP, the outcome of VP’s 38th party congress in August demonstrated that political rivalries among top leaders—both within and breakaway—were far from being resolved.

Particularly difficult were relations with the Iauko Group, headed by Pascal Iauko (son of VP breakaway Harry Iauko from the island of Tanna), whose quest for leadership at the Tongoa congress in 2010 split the party, leaving Edward Natapei as president. Iauko was forced eventually to adopt the name “Iauko Group” in order to contest the 2012 election, in which he was returned as MP for Tanna (Van Trease 2014, 532). The fact that Harry Iauko had been one of Natapei’s strongest supporters in 1999, when he was elected party president (see below), demonstrates how fickle big party politics can be in Vanuatu. Following Iauko’s death under mysterious circumstances in December 2012 in Santo—suspected to be linked to the presence of the

mega yacht *Phoea*, which was anchored in Port Vila harbor for ten months during 2012 and 2013—his son, Pascal Sebastien Iauko, won a by-election in May 2013 to replace his father (Van Trease 2014, 547).

Election of the party executive turned out to be the most divisive problem facing the VP at the August 2014 congress. Traditionally, though it is not specifically stated in the party by-laws, the senior leadership role (president of the party) should hold the senior position in Parliament—that is, prime minister or leader of the Opposition—should the possibility present itself. This fundamental issue, however, has never been fully addressed and has led to tension between rival leaders on at least one other occasion. In 1999, the newly elected party president, Edward Natapei, stepped aside to allow MP Donald Kalpokas to take the leading role as prime minister. Within two years, rivalry between the two men and their supporters had developed to the point that in a snap election in 2002, Kalpokas was forced to run as part of a separate VP faction, called the Vanua-K Group, and lost the election when opposition VP—Natapei supporters—ran rival candidates in his constituency of Efate. Natapei, therefore, continued as president of the party.

When the 2014 congress convened in Port Vila, the VP again faced the situation of two strong leaders vying for the top party position—both Natuman and Natapei were nominated for the position of president—creating tension among the delegates. At one point, balloting was suspended for a time and some votes were declared invalid. In the end, Natapei

was elected president of the Vanua‘aku Pati, while Natuman retained his position as vice president and, of course, prime minister of the republic. Both men assured the congress that they would respect the outcome (VDP, 26 Aug, 28 Aug, 29 Aug 2014).

The day prior to the start of the congress, the four “nationalist parties” (the VP, NUP, MPP, and PPP) signed an agreement that they hoped would lead to their reunification (VDP, 25 Aug 2014). It is significant to note that the Iauko Group was not included in the signing, despite the fact that they had helped topple Carcasses in May and had formally reconciled with the VP in a ceremony in June (VDP, 25 June 2014). This was most likely due to lingering discontent from the fact that the Iauko Group had not been included in the distribution of portfolios following the ouster of the Carcasses government, making a permanent reconciliation difficult. The outcome of the congress clearly indicates that the VP still has work to do to produce a functioning party that reunites all its breakaway parts.

Making the issue more problematic is the fact that over the years, but particularly since 1991, increasing numbers of independents have been elected—some taking on party names and others remaining as independents. They usually disappear after one election, but an exception has been the Graon mo Jastis Pati, led by Ralph Regenvanu, who was first elected in 2008 as an independent and, after the foundation of his own party in 2010, succeeded in getting four MPs elected (including himself) in the 2012 election. He is known for taking principled positions based on issues

of good governance and has served in the Kilman, Carcasses, and, at present, Natuman governments. Regenvanu has become very influential in politics today, having spearheaded significant reform legislation as minister of lands in 2013 and emerging as a driving force in the toppling of the Carcasses government in May. His style of politics has begun to attract considerable support, and not only in his own electorate of Port Vila, where in the 2012 election he received the highest total vote ever by a candidate in Vanuatu's electoral history. The issue worth watching is whether Vanuatu voters will be attracted to the call of the old parties to reunite on the basis of past history or turn to the likes of the new Graon mo Jastis Pati, which focuses much more clearly on dealing with the challenges of today.

Indeed, one wonders if the two groups—Nationalists and Moderates—are really serious about reviving past glories as the basis for modern parties today, especially since an increasing majority of voters were not even born at the time of independence in 1980 and would not be aware of the events, let alone the policies of the two major parties. It is never discussed, but the Moderates and Nationalists reflect the old Anglo/French divide, which made the achievement of independence for Vanuatu extremely difficult. Will the two sides want to debate each other again over the old issue of the need for immediate or delayed independence? Do they really want to fight over which systems of education, local government, or law are better, or which language is more important—English or French? And, of course, there is the rebellion. On

which side do the party groupings stand today? The astounding thing is that these issues are hardly ever spoken about—they are taboo subjects, which everyone seems to want to forget—and yet they lie just below the surface and silently affect relationships far more than the two groups are willing to admit to themselves, let alone to each other. The desire to reduce instability is an admirable goal, and the leaders of the old parties should be praised for focusing on the problem. Knowing and acknowledging one's history is essential for understanding the present, but as the old saying goes: "You can't move forward by just staring in the rearview mirror!"

Perhaps sensing the opportune moment, on 29 August, the Carcasses-led opposition tabled a new motion of no confidence and request to call Parliament into session, signed by 27 MPs, with the backing of some government backbenchers (VDP, 30 Aug 2014). Subsequently, the Speaker ruled that the motion was not in order due to the fact that several of the government backbenchers claimed they had withdrawn their signatures prior to or after the motion was actually tabled (VDP, 1 Sept, 2 Sept 2014). The dispute finally ended up in court, confirming the Speaker's decision to reject the motion (VDP, 9 Sept 2014).

In the midst of this unsettled political situation, Parliament turned to the important task of electing a new president to replace His Excellency President Iolu Johnson Abbil, whose five-year term in office was about to expire. It was obvious to most political leaders that this would be a difficult task, as Parliament was narrowly divided, making it highly unlikely that

either side of politics—the Nationalists or the Moderates—would have the numbers to elect one of their own candidates without support from another party.

According to the Vanuatu Constitution, “the election of the President of the Republic shall take place within 3 weeks of the end of the term of office of the previous President. . . . any indigenous Vanuatu citizen qualified to be elected to Parliament shall be eligible for election as President of the Republic” (Constitution, chapter 6, article 34, schedule 1 and article 35). Following on, “every citizen of Vanuatu who is at least 25 years of age shall be eligible to stand for election to Parliament” (Constitution, chapter 4, article 17 [2]). In other words, the office of president is open only to “indigenous” citizens of at least twenty-five years of age.

The president is elected by a two-thirds majority of a 58-seat Electoral College—39 votes—consisting of the 52 MPs plus the presidents of the 6 provincial governments. At the time, the government controlled only two of the provinces (Malampa and Penama) and the Opposition four (Banks/Torres, Sanma, Shefa and Tafea), which gave the government an estimated 32 votes and the opposition 26; it is difficult to be more precise because of the wavering support of certain MPs.

A total of 23 individuals expressed to the Electoral Office their intention to apply for the vacant position. Two were women, but they did not proceed to fill out the forms. Likewise, several of the remaining men did not submit completed forms, leaving only 13 names, which were duly screened by the Electoral Office; all of them

were approved and submitted to the Electoral College for consideration. The 13 candidates included mostly former politicians: two prime ministers (Barak Tame Sope and Maxime Carlot Korman), several ministers and elected MPs, a clerk to Parliament, and one clergyman. Six of the candidates would have been identified with the government side, while four were associated with the Opposition. The remaining three had not been actively involved in politics (VDP, 10 Sept, 15 Sept 2014).

While experience, reputation, and political affiliation are important considerations, island of origin was also clearly a factor in the selection process. Of the seven previous presidents, one was from Efate and one from Emae (Shefa Province); one from Aneityum and one from Tanna (Tafea Province); one from Pentecost (Penama Province); and one from Ambrym (Malampa Province). It was suggested in the press that the new president would most likely come from one of the islands or provinces that had yet to produce a head of state, and this was reflected in the number of candidates who had applied: the islands of Malakula (4), Santo (3), Torba (1), and Ambae (1). There were no candidates from Tafea Province, which had already produced two presidents, including the current president, Iolu Abbil, from the island of Tanna. One local journalist described how the Nationalists (the government coalition) were keen that someone be elected who had been associated with the independence struggle. The Opposition moderates were thought to be focusing on someone from the Nagriamel

movement, which was on the other side of independence politics (*VDP*, 17 Sept 2014).

The Electoral College convened on 16 September with Chief Justice Vincent Lunabek presiding. Not surprising, given the political atmosphere at the time, reaching a decision was extremely difficult. The Electoral College had to meet on seven separate days before one candidate received the required two-thirds of the votes. Baldwin Jackson Lonsdale, from the island of Motalava in the Banks Islands (Torba Province), was elected with 46 votes—7 more than the minimum 39 required under the constitution. His election was surprising for some, as he was one of the least political of the candidates, but this may actually explain his election, given the political divisions at the time. He began employment in 1968, before independence, working as an officer in the British National Service, and he had subsequently trained to become an Anglican priest, attaining tertiary level qualifications in New Zealand. He later taught at several different educational institutions and served as the secretary-general of Torba Province from 1998 to 2006 (*VDP*, 23 Sept 2014).

In mid-July, students at the Emalus Campus of the University of the South Pacific in Port Vila staged a peaceful demonstration in support of West Papua's struggle for independence from Indonesia—not a new issue in Vanuatu, which is the only country in the Pacific in which an international issue has taken on political significance and is openly supported by most political parties, from both the government and Opposition. This

demonstration marked the start of a new round of activities, which culminated in a gathering of West Papuan political leaders in mid-December. The purpose of the conference was to allow all pro-independence groupings inside and outside West Papua to unite under one umbrella in preparation for submitting an application to the Melanesian Spearhead Group to join the subregional group as a full member (*VDP*, 17 Sept 2014). The Vanuatu government pledged financial backing for the conference, and Prime Minister Natuman made an impassioned plea in late September at the United Nations General Assembly in support of the West Papuan cause (*VDP*, 19 Sept, 1 Oct 2014).

The Indonesian government, through its embassy in Canberra, expressed its displeasure at the Vanuatu government's intended support for the West Papuan conference (*VDP*, 1 Dec 2014). Prime Minister Natuman responded that he "would consider altering the Vanuatu-Indonesia Bilateral Agreement, if Indonesia continues to interfere in Vanuatu's stand on West Papua issues" (*VDP*, 9 Dec 2014). On 6 December, the leaders of the three major pro-independence groups (the Federal Republic of West Papua, the National Parliament of West Papua, and the National Coalition for Liberation) deliberated in the Chiefs' Nakamal in Port Vila and signed an agreement to establish a new body called the United Liberation Movement for West Papua (*VDP*, 8 Dec 2014). Carcasses joined the government in expressing his support for the meeting and congratulated the West Papuans for their achievement in obtaining unity (*VDP*, 12 Dec 2014).

In early November, the prime minister requested that the Speaker call Parliament for a regular session, scheduled for 18 and 19 December, to consider the 2015 budget (*VDP*, 5 Nov 2014). Not surprising, rumors of the possible tabling of a new motion of no confidence surfaced, but with the puzzling news in the local press that amounts of money between VT500,000 and VT1 million, totaling VT14.5 million, had allegedly been paid into the accounts of a number of MPs (*VDP*, 11 Nov 2014). Ten days later, it was announced that the prime minister and the deputy prime minister had lodged a motion in Parliament to suspend sixteen Opposition MPs for alleged bribery. The motion contained the facts, verified by the police, that the leader of the Opposition, Moana Carcasses, had deposited a check for VT35 million in his personal account at a local bank and subsequently transferred money to Opposition MPs as described above, which he claimed were loans. It was alleged in the newspaper that Carcasses had not denied these facts and had openly stated that he was offering the money as loans “to any MP of either the Opposition or the Government sides who will pledge their allegiance to him” (*VDP*, 21 Nov 2014).

The basis of the motion for suspension was chapter 10 of the Vanuatu Constitution (article 66 [1 and 2]), which establishes the Leadership Code and requires leaders in government to conduct themselves so as to avoid any activity that might demean their office or the integrity of the Republic of Vanuatu. In particular, leaders should not engage in any activity involving a conflict of interest or for personal gain

(Constitution, chapter 10, article 66 [1 and 2]).

It came as no surprise that the next day, the leader of the Opposition tabled a motion of no confidence in the prime minister, giving five reasons: that the prime minister (1) was causing harm to the country for refusing to enforce the airport concession, risking damages expected to total more than 3 billion vatu; (2) had interfered in the function of the Public Service by removing the chairman and members of the Citizenship Commission; (3) had failed to act on the e-visa scheme in China and to deal with alleged misuse of funds; (4) had stopped the decentralization of council of ministers’ meetings in the provinces; and (5) was leading the country in the wrong direction by favoritism and focusing on the past rather than the future.

The Speaker pointed out that the motion of no confidence in the prime minister had come two days after the motion to suspend sixteen MPs and would, therefore, be dealt with after that of the prime minister. Under Parliamentary Standing Orders, three days is required before a written motion can be debated. He also pointed out that the two movers of the second motion were among those listed in the motion of the prime minister for suspension, which could have an impact on the final outcome (*VDP*, 22 Nov 2014).

Indeed, when the motion was debated, the leader of the Opposition, Moana Carcasses, and his deputy, Serge Vohor, were suspended, along with fourteen other MPs. The motion claimed that by accepting the “loans,” the accused MPs had broken the

Leadership Code, which stipulates that “a leader must not accept a loan (other than on commercial terms from a recognised lending institution) and only if the leader satisfies the lending institution’s usual business criteria” (Supreme Court, Leadership Code Act [CAP 240], part 3—Breaches of Leadership, section 21).

Carcasses’s response was that he would seek redress in the court, arguing that the rights of the suspended MPs had been infringed, “as only the court has the right to punish anyone and not the parliament” (VDP, 26 Nov 2014). When asked about the source of the money he had distributed, Carcasses claimed that “the money belonged to me. I sold my properties” (VDP, 27 Nov 2014). The sixteen MPs left Parliament and remained absent for the remainder of the session.

The Supreme Court, however, decided that the suspension of the MPs “had breached the petitioners’ constitutional rights under various Articles of the Constitution specified in their petition”; therefore, “the suspension was invalid, void, and of no effect” (VDP, 3 Dec 2014). In response, the Speaker called for a judicial review, expressing his concern that the court decision had intruded in the affairs of Parliament—that is, that it interfered with the “separation of powers between the legislature and the judiciary under the constitution of the country . . . and that Parliament had a duty to act to protect its integrity by deciding to discipline those members concerned” (VDP, 4 Dec 2014).

Following the court decision, the sixteen MPs removed the motion of no confidence due to a lack of numbers to pass it. However, Prime Minister

Natuman responded strongly to the accusations against him. He labeled the airport concession agreement signed by the Carcasses-led government as a “scam” and noted that in July, Parliament, including Carcasses, had voted to allow the agreement to lapse after receiving the report of an Ad Hoc Committee engaged to investigate the project, which reported that “99% of the contract did not favor the government, the people and Vanuatu but ‘only foreigners and it could cause a catastrophe.’” The prime minister also cautioned that “there were people around trying to get the Opposition to return to government to reopen the agreement.” He noted as well that although the sixteen MPs were officially back in Parliament, the police were resuming their investigation against them relating to the complaint of alleged bribery (VDP, 5 Dec 2014).

With the closure of Parliament, the political tension in the air subsided. However, the serious allegations of bribery against the sixteen MPs remained to be resolved, with the Public Prosecutor’s office preparing a case that was expected to be presented in court around mid-March 2015. The impact of a conviction would be substantial, with the possibility of either a “fine not exceeding VT5,000,000” or “imprisonment for a period not exceeding 10 years” (Supreme Court, Leadership Code Act [CAP 240], part 6—Punishment of Leaders, section 41[a] and [b]). This was the first time that accusations of bribery against elected government officials had reached this stage of investigation and possible prosecution, though the suspicion of money changing hands during votes of no confidence and

coalition formation is constant and widespread. Whatever the result, the publicity surrounding the potential court case raised the consciousness among the public, at least in Port Vila, as to the seriousness of the allegations. There seemed to be little awareness, however, of the significance that a negative court judgment could have: the potential for sixteen MPs (30% of Parliament) to lose their seats. Politics in the first few months of 2015 are sure to be of great interest.

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